



Journal of the Senate

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Wednesday, April 10, 1996

CALL TO ORDER

The Senate was called to order by the President at 9:00 a.m. A quorum present—39.

Mr. President	Diaz-Balart	Jenne	Ostalkiewicz
Bankhead	Dudley	Jennings	Rossin
Beard	Dyer	Johnson	Silver
Bronson	Forman	Jones	Sullivan
Brown-Waite	Grant	Kirkpatrick	Thomas
Burt	Harden	Kurth	Turner
Casas	Hargrett	Latvala	Weinstein
Childers	Harris	McKay	Wexler
Crist	Holzendorf	Meadows	Williams
Dantzler	Horne	Myers	

PRAYER

The following prayer was offered by the Rev. Dr. William S. Echols, Retired Pastor, United Methodist Church, Lake Wales:

Eternal God, Father of all who are willing to let you be their Heavenly Father, we ponder that which brings us together this morning, and are humbled, even frightened, at the magnitude of the task that lies before these, our chosen leaders, in high places of responsibility.

So, in boldness we pray for these who have answered the call of their constituents for leadership that they might be aware of all the resources at hand for each, remembering that even though they come from a remarkable variety of backgrounds and conditioning influences, there are bonds that unite them in purpose. Each has dutifully researched assigned responsibilities. They have knowledgeable staff persons able and committed to be of assistance, and they each possess individual aptness of mind as well as prior experiences coupled with mutually beneficial exchange as members of this honored and strategic body.

Further, we pray that even though at times they may feel they are faced with seemingly impossible challenges, that among their resources of strength they may daily be reminded of your presence, your undergirding power and your flawless guidance.

Let them be driven by dreams and worthy ambitions. Save and protect them from pressures of self-interest groups and individuals.

This day we especially pray your protective strength might be with each Senator in all ways, in a very real and recognizable way.

May your spirit be so present that each will allow your promised strength to be theirs, thus assuring clarity of mind, strength of body, purity of heart and sanctity of purpose. We pray for true and meaningful success as they seek humbly to fulfill their mission as servants of the people, as special persons doing the greatest good. Lead them into that greatness. In your name we pray. Amen.

PLEDGE

Senate Pages, Evelio Silvera of Cape Coral and Michael Lascelle of Sarasota, led the Senate in the pledge of allegiance to the flag of the United States of America.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Holzendorf, by unanimous consent the rules were waived and—

By Senators Holzendorf, Hargrett, Meadows, Turner and Jones—

SCR 3078—A concurrent resolution expressing condolences and sympathy to the family and friends of Ronald H. Brown.

WHEREAS, the first African-American Secretary of Commerce, Ronald H. Brown was born in Washington, D.C., and grew up in New York City, was graduated from Middlebury College in Vermont, and, after serving for four years in the United States Army in both Germany and Korea, earned a law degree from St. John's University, which he attended at night, while working as a welfare caseworker for the City of New York, and

WHEREAS, Secretary Brown served as chief counsel for the Senate Judiciary Committee, and championed civil rights as deputy executive director, general counsel, and vice president for Washington operations for the National Urban League, and

WHEREAS, nominated by President-elect Clinton on December 12, 1992, Secretary Brown was confirmed by the United States Senate on January 21, 1993, and sworn into office as the 30th United States Secretary of Commerce on January 22, and

WHEREAS, as a lawyer, skillful negotiator, pragmatic bridgebuilder, and past chairman of the Democratic National Committee, Secretary Brown strongly believed in the promise of America and aggressively advanced policies and programs to accelerate the nation's economic growth and create new jobs and opportunities for all Americans, and

WHEREAS, under the leadership of Secretary Brown, the Commerce Department promoted United States exports, technologies, and entrepreneurship and the economic development of distressed communities throughout the nation, and

WHEREAS, Secretary Brown led trade development missions to five continents, touting the competitiveness of United States goods and services, and

WHEREAS, President Clinton described Ronald H. Brown as a passionate civil rights advocate, a keen political strategist, and one of America's most effective Secretaries of Commerce, who used the power of the Commerce Department to find ways to give opportunity to ordinary Americans, to generate jobs for the American economy, and to build better futures for American citizens, and

WHEREAS, Secretary Brown, while leading a group of colleagues and business leaders on a mission to assist the economic recovery of the war-torn nation of Bosnia, was killed as the result of a tragic plane crash, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the Legislature of the State of Florida hereby expresses its condolences and sympathies to the family and friends of the late Ronald H. Brown, 30th United States Secretary of Commerce.

—was introduced out of order and read by title. On motions by Senator Holzendorf, by two-thirds vote SCR 3078 was read the second time in full, adopted and immediately certified to the House.

MEMORIAL

On behalf of the Senate, the President expressed regret at the death of U. S. Commerce Secretary Ron Brown and announced that the Senate would honor his memory by suspending all Senate business during the

hour set for his funeral service beginning at 1:00 p m today

On motion by Senator Sullivan, by two-thirds vote **SR 710** was withdrawn from the Committee on Rules and Calendar

On motion by Senator Sullivan—

SR 710—A resolution commemorating 1996 as the 50th Anniversary of the Juvenile Welfare Board of Pinellas County, Florida.

WHEREAS, in the early 1940's, Judge Lincoln Bogue, a juvenile-court judge, saw the need for a facility, other than the county jail, for dependent and wayward youth, and

WHEREAS, Attorney Leonard Cooperman wrote proposed legislation creating a tax-supported autonomous board to protect the rights and needs of children, and

WHEREAS, the Pinellas County Legislative Delegation agreed to support the bill sponsored by Senator Henry Baynard and Representative S Henry Harris, subject to referendum, and

WHEREAS, on June 11, 1945, the Legislature passed an act creating a Board of Juvenile Welfare for Pinellas County, and

WHEREAS, on November 5, 1946, the voters of Pinellas County, by a 4-to-1 majority, approved the Juvenile Welfare Board Act, and

WHEREAS, the Juvenile Welfare Board of Pinellas County was the first independent special taxing district in the United States dedicated solely to the needs of children, and

WHEREAS, by 1994-1995, community agencies operating 130 programs sponsored by the Juvenile Welfare Board, provided services to approximately 112,560 children and 28,750 families in Pinellas County, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida

That the Florida Senate commemorates the year 1996 as the 50th Anniversary of the Juvenile Welfare Board of Pinellas County, Florida

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the members of the Juvenile Welfare Board of Pinellas county as a tangible token of the sentiments of the Florida Senate.

—was taken up out of order and read the second time in full On motion by Senator Sullivan, **SR 710** was adopted

SPECIAL GUESTS

Senator Sullivan introduced the following guests who were present in the chamber James E Mills, ACSW, Executive Director and Donna J. McRae, Chair of the Juvenile Welfare Board of Pinellas County

Upon request of the President, Senator Sullivan escorted the guests to the rostrum where they were presented a copy of the resolution

On motion by Senator Holzendorf, by two-thirds vote **SR 2960** was withdrawn from the Committee on Rules and Calendar

On motion by Senator Holzendorf—

SR 2960—A resolution recognizing Charlotte Clapp for outstanding public service as a police officer

WHEREAS, on August 19, 1994, Charlotte Clapp, a police officer with the City of Palatka, Florida, responded to an emergency call from fellow police officers for assistance in arresting a violent suspect, and

WHEREAS, while assisting her fellow officers to restrain and handcuff the suspect, Charlotte Clapp sustained a broken wrist and severely torn muscles in her right forearm, and

WHEREAS, Charlotte has undergone surgery three times in an attempt to repair the injuries but has been advised by her doctor that she will be unable to return to duty as a police officer, and

WHEREAS, on January 8, 1996, Charlotte Clapp was terminated as a police officer with the City of Palatka and her career as a police officer is over, and

WHEREAS, at the age of 24, Charlotte must find a new career even though she has dreamed since childhood of a career as a law enforcement officer, and

WHEREAS, Charlotte first joined the Explorer Unit of the Palatka police force at the age of 15, she began her career as a police dispatcher, and later obtained a police certificate and became a reserve police officer and a part-time bicycle officer, and

WHEREAS, Charlotte worked her way up through the ranks and was hired as a road patrol officer in November of 1993, and attained the rank of Captain in the unit, and

WHEREAS, the Florida Senate wishes to recognize the contributions of Charlotte Clapp to her fellow police officers, her community, and her state, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida

That the Florida Senate hereby commends Charlotte Clapp for her outstanding dedication to the police profession and for her service to her community

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Charlotte Clapp as a tangible token of the sentiments of the Florida Senate

—was taken up out of order and read the second time in full. On motion by Senator Holzendorf, **SR 2960** was adopted.

SPECIAL GUEST

Senator Holzendorf introduced Charlotte Clapp who was present in the chamber

Upon request of the President, Senator Holzendorf escorted the guest to the rostrum where she was presented a copy of the resolution.

On motion by Senator Grant, by two-thirds vote **SR 1824** was withdrawn from the Committee on Rules and Calendar

On motion by Senator Grant—

SR 1824—A resolution recognizing April as "Early-Intervention Awareness Month" in this state

WHEREAS, the children of our state are our most valuable resource for the future, and

WHEREAS, it is important for our state to foster safe and healthful environments that promote the optimal development of all children, and

WHEREAS, all residents of our state share responsibility for and receive benefits from these safe and healthful environments, and

WHEREAS, each child depends upon its family for the nurturing and care necessary to grow and succeed, and

WHEREAS, each child who succeeds will become a contributing resident of our state, and

WHEREAS, early-intervention programs and services support families by promoting the optimal development of children, and

WHEREAS, the Florida Senate comprehends the importance of early-intervention programs and services in the lives of young children and their families, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida

That the Florida Senate recognizes April as "Early-Intervention Awareness Month" in this state in conjunction with the nationally proclaimed "Month of the Young Child", and urges all residents of the state to support the early-intervention programs and services being provided

in this state to promote safe and healthful environments and optimal development for children

—was taken up out of order and read the second time in full. On motion by Senator Grant, **SR 1824** was adopted

INTRODUCTION OF FORMER SENATE PRESIDENT

The President introduced former Senate President Curtis Peterson who was present in the chamber

SPECIAL GUEST

Senator Silver introduced former Circuit Court Judge of the 11th District, Arthur I. Snyder, Mayor ofventura, Florida, who was present in the gallery

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bronson, by two-thirds vote **SB 1794** and **SB 2292** were withdrawn from the committees of reference and further consideration.

On motion by Senator Diaz-Balart, by two-thirds vote **CS for SB's 14, 30, 516 and 596, SB 40, SB 182, CS for SB 222, CS for SB 246, SB 312, CS for SB 336, SB 412, CS for SB 438, SB 458, CS for SB 494, SB 496, CS for SB 690, SB 742, SB 776, SB 922, SB 1012, CS for SB 1268, SB 1316, SB 1636, SB 1868, CS for SB 1888, CS for SB 1950, SB 2370 and SB 1222** were withdrawn from the Committee on Ways and Means

On motion by Senator Hargrett, by two-thirds vote **SB 2326** was withdrawn from the committees of reference and further consideration

On motion by Senator Jones, by two-thirds vote **SB 672, SB 2770, SB 2388 and SB 2686** were withdrawn from the committees of reference and further consideration

On motion by Senator Jennings, by two-thirds vote **SB 192, SB 232, SB 512, SB 1806, SB 1968, SB 2244, SB 2278 and SB 2820** were withdrawn from the Committees on Commerce and Economic Opportunities; Education; and Ways and Means; and referred to the Committees on Education, Commerce and Economic Opportunities, and Ways and Means; and **SB 1804** was withdrawn from the Committees on Commerce and Economic Opportunities, Education; Governmental Reform and Oversight; and Ways and Means; and referred to the Committees on Education; Commerce and Economic Opportunities; Governmental Reform and Oversight, and Ways and Means

On motion by Senator Jennings, by two-thirds vote **CS for SB 2518** was withdrawn from the Committee on Criminal Justice; **CS for SB 2392 and CS for SB 2314** were withdrawn from the Committee on Community Affairs; **SB 2264** was withdrawn from the Committee on Commerce and Economic Opportunities, **SB 1720** was withdrawn from the Committee on Banking and Insurance, **SB 1682 and SB 1676** were withdrawn from the Committee on Health and Rehabilitative Services; and **SB 1168** was withdrawn from the Committee on Natural Resources

SPECIAL ORDER CALENDAR

MOTION

On motions by Senator Jennings, the rules were waived by unanimous consent and **CS for CS for SB 886** was to be considered following **SB 668**

The Senate resumed consideration of—

SB 668—A bill to be entitled An act relating to public records exemptions, removing public records exemptions that were repealed under former s. 119.14, F.S., repealing s. 213.30(3), F.S., relating to the identities of persons who provide information to the Department of Revenue;

amending s. 232.2468, F.S., relating to dropout and graduation information regarding Florida students; amending s. 239.505, F.S., relating to student records and juvenile justice records, amending s. 288.1168, F.S., relating to records of the professional golf hall of fame, amending s. 384.25, F.S., relating to HIV test-result records; amending s. 483.619, F.S., relating to patients' records, amending s. 775.0877, F.S., relating to inmates' HIV test results

—which was previously considered March 28. Pending **Amendment 1** by Senator Harden was withdrawn.

On motion by Senator Harden, by two-thirds vote **SB 668** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

CS for CS for SB 886—A bill to be entitled An act relating to managed care, creating s. 381.0407, F.S., creating the "Managed-Care and Publicly Funded Primary-Care-Program Coordination Act"; providing legislative findings and intent; providing definitions; requiring certain reimbursement requirements; providing for authorization and payment for certain services; specifying the reimbursement for services in certain disease emergency situations, amending s. 409.912, F.S., relating to the purchase of goods and services for Medicaid recipients; conforming provisions to the transfer of responsibilities for the Medicaid program from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; revising requirements for contracting with entities providing prepaid health and mental health services and for Department of Insurance certification of entities providing prepaid health care services, deleting the requirement that certain guaranteeing organizations be nonprofit entities, requiring certain entities to become licensed under the Insurance Code; requiring certain entities to establish a restricted insolvency protection account, providing requirements for reimbursements to hospitals and physicians that provide services on a prepaid or fixed-sum basis; requiring the agency to adopt rules to implement a health care quality-improvement system for certain Medicaid prepaid plan providers and managed-care providers, specifying the elements of the system; requiring the agency to adopt rules to implement an enhanced managed-care quality-assurance oversight function; specifying the elements of the function; requiring Medicaid prepaid plan providers and MediPass providers to provide certain member services; requiring certain care, and documentation of care, to be provided to Medicaid prepaid plan and MediPass enrollee infants and pregnant women; limiting certain enrollment or selection incentives and activities; requiring the agency to publish a toll-free telephone number to receive certain consumer complaints; requiring the agency to have a MediPass enrollee grievance procedure, specifying the elements of the grievance procedure; requiring that the MediPass enrollee grievance procedure be detailed in the enrollee handbook, directing the agency to conduct recipient-satisfaction surveys; directing the agency, in conjunction with the Department of Health and Rehabilitative Services, to select providers who meet specific criteria to provide MediPass services to chronically ill children; specifying system components and service availability; amending s. 409.9122, F.S., relating to mandatory Medicaid managed-care enrollment; deleting a requirement for an evaluation of MediPass, revising legislative intent, providing requirements for the agency in enrolling and disenrolling Medicaid recipients in managed-care plans or MediPass; authorizing the agency to request a federal waiver for the purpose of establishing certain prepaid programs, amending s. 636.004, F.S.; specifying the provisions of law governing prepaid limited health service organizations; amending s. 636.007, F.S., exempting specified political subdivisions that offer emergency medical services from certain regulations; amending ss. 636.008, 636.009, 636.012, F.S., prescribing procedures and eligibility requirements for certificates of authority to operate a prepaid limited health service organization; amending s. 636.029, F.S., providing for inapplicability of other provisions of the Insurance Code to prepaid limited health service organizations, creating s. 636.0355, F.S.; providing quality-assurance standards for prepaid limited health service organizations; amending s. 636.038, F.S., prescribing requirements for such organizations' complaint systems; amending s. 636.052, F.S., conforming provisions to the transfer of responsibilities made by the act; amending s. 641.18, F.S.; clarifying legislative intent that the Department of Insurance enforce health maintenance organization regulations to protect enrollees regardless of their source of payment, amending s. 641.19, F.S.; providing definitions;

amending s. 641.2015, F.S.; providing an exemption from an incorporation requirement for certain public entities; amending s. 641.22, F.S., providing additional conditions for obtaining a certificate of authority; amending s. 641.225, F.S., relating to financial surplus requirements for health maintenance organizations; subjecting certain specified public managed-care providers to the surplus requirements unless they are backed by the full faith and credit of the county where located or surplus requirements as specified in s. 409.912(3)(c), F.S.; amending s. 641.23, F.S.; providing for cancellation, revocation, and suspension of certificates of authority to operate a health maintenance organization; specifying a medical loss ratio for health maintenance organizations; requiring a corrective-action plan for failure to maintain the required ratio, requiring that the Agency for Health Care Administration be notified that a corrective-action plan has been requested; authorizing the Department of Insurance to impose certain specified sanctions, amending s. 641.25, F.S.; providing for an administrative penalty; amending s. 641.28, F.S., relating to civil remedy; conforming provisions to the transfer of responsibilities made by the act; amending s. 641.37, F.S.; increasing penalties for making false statements regarding health maintenance organization coverage; creating s. 641.3865, F.S., regarding health maintenance organizations to use a specified form to enroll Medicaid recipients; amending s. 641.3903, F.S., relating to unfair competition and trade practices; prohibiting certain discriminatory practices by health maintenance organizations; amending s. 641.47, F.S.; revising definitions, defining the term "agency," deleting the definition of the term "department," defining the term "organization" to include prepaid limited health service organizations, and reorganizing definitions; amending s. 641.48, F.S., relating to the purpose and application of this part; deleting an exemption from health maintenance organization regulation for certain capitated reimbursed providers; amending s. 641.49, F.S., relating to an application procedure for certification of health maintenance organizations, prepaid health clinics, and prepaid limited health service organizations, prescribing application requirements; requiring applicants to submit a statement with their application that their chief of medical staff is a Florida-licensed physician; amending s. 641.495, F.S., relating to the issuance and maintenance of a health care provider certificate; specifying patient-physician ratios; specifying conditions under which a health maintenance organization is exempt from certain requirements, specifying when certificates automatically expire; amending s. 641.51, F.S.; excluding prepaid limited health service organizations from certain requirements; providing that the judgment of specified physicians is not subject to modification under specified conditions, amending s. 641.511, F.S.; prescribing subscriber grievance reporting and resolution requirements; amending s. 641.512, F.S., relating to accreditation and external quality-assurance assessment; requiring periodic external quality-assurance reviews of each health maintenance organization, prepaid health clinic, and prepaid limited health service organization; requiring the agency to adopt rules establishing certain external quality-assurance standards; providing for a comprehensive feasibility study as a preliminary quality-assurance review; requiring organizations to submit external quality-assurance review reports; revising guidelines for agency certification of private reviewers; providing for payment of expenses associated with review; excluding expenses paid from calculation of a specified regulatory assessment; requiring coordination of external quality-assurance reviews; authorizing the agency to investigate an organization when it considers it reasonably necessary; amending s. 641.515, F.S.; providing for inspections; prescribing standards of care; amending s. 641.52, F.S.; providing for disciplinary actions against health maintenance organizations, prepaid health clinics, and prepaid limited health service organizations; revising the aggregated maximum fines for violations of regulations; directing the agency to adopt rules that establish penalty categories that specify varying ranges of fines; amending s. 641.54, F.S.; providing for disclosure of hospital and physician information; creating s. 641.545, F.S.; providing for subscriber risk assessments; requiring health maintenance organizations and prepaid health services to provide certain subscriber services; requiring the agency to monitor compliance, creating s. 641.546, F.S., providing requirements for maternity and newborn services; requiring certain care and documentation of care to be provided to pregnant subscribers and infant subscribers of health maintenance organizations and prepaid health clinics; amending s. 641.55, F.S.; providing for internal risk-management programs; amending s. 641.56, F.S.; prescribing rulemaking authority of the Agency for Health Care Administration; amending s. 641.57, F.S., providing for the disposition of fees; amending s. 641.58, F.S., providing for administration of regulatory assessments by the Agency for Health Care Administration, repealing s. 641.225(4) and (6), F.S. relating to financial surplus requirements for health maintenance

organizations; requiring a study by the State University System concerning capitation arrangements; creating a task force to study overlapping regulations; creating s. 641.60, F.S.; providing for utilization monitoring of managed-care risk-sharing providers; creating s. 641.61, F.S.; providing for subscriber satisfaction assessments; creating s. 641.62, F.S.; providing for study of managed-care subscriber populations relating to chronic diseases and sharing of information pertaining to such populations; providing for a study of capitation arrangements, requiring recommendations to streamline the regulatory process; repealing s. 641.225(4), (6), F.S., relating to surplus requirements; providing appropriations; providing effective dates.

—was read the second time by title

Senator Brown-Waite moved the following amendments which were adopted:

Amendment 1 (with title amendment)—On page 31, line 9 through page 40, line 13, delete those lines and renumber subsequent sections

And the title is amended as follows.

On page 3, lines 7-27, delete those lines and insert: prepaid programs;

Amendment 2 (with title amendment)—On page 52, line 17 through page 53, line 29, delete those lines and insert

(2) *"Complaint" means an oral notification of dissatisfaction or concern with, or wrongdoing relating to, services provided or withheld which notification is directed to an organization or state agency by a subscriber or a provider as a part of the informal steps of a grievance procedure.*

(3)(2) *"Geographic area" means the county or counties, or any portion of a county or counties, within which the health maintenance organization provides or arranges for comprehensive health care services to be available to its subscribers. "Department" means the Department of Health and Rehabilitative Services.*

(4) *"Grievance" means a written notification submitted by a subscriber or provider expressing dissatisfaction or concern with, or wrongdoing relating to, services provided or withheld which notification is directed to an organization or state agency as a part of the formal steps of a grievance procedure.*

(5)(2) *"Health care services" means comprehensive health care services, as defined in s. 641.19, when applicable to a health maintenance organization; means basic services, as defined in s. 641.402(1), when applicable to a prepaid health clinic, and means limited health services, as defined in s. 636.003, when applicable to a prepaid limited health service organization. "Geographic area" means the county or counties, or any portion of a county or counties, within which the health maintenance organization provides or arranges for comprehensive health care services to be available to its subscribers.*

(7)(5) *"Organization" means a any health maintenance organization as defined in s. 641.19 or a and any prepaid health clinic as defined in s. 641.402(5)*

Section 25. Section 641.48, Florida Statutes, is amended to read:

641.48 Purpose and application of part; ~~exemption.~~

(4) The purpose of this part is to ensure that health maintenance organizations and prepaid health clinics deliver high-quality health care to their subscribers. To achieve this purpose, this part requires all ~~such health maintenance organizations and prepaid health clinics~~ to obtain a health care provider certificate from the ~~agency Department of Health and Rehabilitative Services~~ as a condition precedent to obtaining a certificate of authority to do business in Florida from the Department of Insurance, ~~under pursuant to part I or part II of this chapter~~

And the title is amended as follows

On page 5, lines 10-14, delete those lines and insert: defining the terms "agency," "complaint," and "grievance," deleting the definition of the term "department," and reorganizing definitions; amending s. 641.48,

Amendment 3 (with title amendment)—On page 55, line 25 through page 56, line 5, delete those lines and insert: organization and prepaid health clinic as health care providers; application procedure —

(1) No person or governmental unit shall establish, conduct, or maintain a health maintenance organization or a prepaid health clinic in this state without first obtaining a health care provider certificate under this part.

(2) The Department of Insurance shall not issue a certificate of authority under part I or part II of this chapter to any applicant which does not possess

And the title is amended as follows:

On page 5, lines 21-23, delete those lines and insert: maintenance organizations and prepaid health clinics; prescribing application

Amendment 4 (with title amendment)—On page 62, line 27 through page 63, line 21, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 6, line 3-7, delete those lines

Amendment 5—On page 12, line 25, after the word "owned" insert: and operated

Amendment 6—On page 45, lines 14-18, delete those lines and insert:

(b) *An entity providing prepaid capitated services which is authorized under paragraph 409.912(3)(b), paragraph 409.912(3)(c), or paragraph 409.912(3)(d) and which applies for a certificate of authority is subject to the minimum surplus requirements set forth in subsection 409.912(12)*

Amendment 7 (with title amendment)—On page 48, line 20 through page 49, line 10, delete those lines and insert

(6) *After January 1, 1997, a health maintenance organization that has had a contract with the Agency for Health Care Administration to provide health care services to Medicaid recipients on a prepaid basis for at least 18 months shall maintain a Medicaid medical loss ratio of at least 80 percent. If the Medicaid medical loss ratio is lower than 80 percent, the department shall require the HMO to submit documentation to justify such a ratio at less than 80 percent. If the department determines that the documentation does not justify a Medicaid medical loss ratio lower than 80 percent, the department shall order the health maintenance organization to file with the department and implement a corrective-action plan designed to increase the Medicaid medical loss ratio to at least 80 percent. When the department requires a corrective-action plan under this subsection, the department must notify the Agency for Health Care Administration of the requirement, and the agency must require an external quality assurance review under s. 641.512. If the health maintenance organization fails to submit a plan within 30 days after the department's order or submits a plan that is insufficient to correct the deficiency in the Medicaid medical loss ratio, the department may order the health maintenance organization to reduce administrative expenses or to increase its medical expenditures. The department shall adopt by rule a definition of the term "Medicaid medical loss ratio" that is consistent with nationally established standards.*

(7) *The department shall calculate and publish at least annually the medical loss ratios of all licensed health maintenance organizations. The publication shall include an explanation of what the medical loss ratio means and shall disclose that the medical loss ratio is not a direct reflection of quality, but must be looked at along with patient satisfaction and other standards that define quality*

(Renumber subsequent sections.)

And the title is amended as follows:

On page 4, lines 19 and 20, delete those lines and insert: specifying a Medicaid medical loss ratio for certain health maintenance organizations that provide health care services to Medicaid recipients; requiring a

Amendment 8 (with title amendment)—On page 51, between lines 6 and 7, insert:

Section 22. Subsection (3) of section 641.386, Florida Statutes, is amended to read

641.386 Agent licensing and appointment required; exceptions —

(3) *An examination, license, or appointment is not shall be required of any regular salaried officer or employee of a health maintenance organization who devotes substantially all of his services to activities other than the solicitation of health maintenance organization contracts from the public and who receives no commission or other compensation directly dependent upon the solicitation of such contracts. This exemption does not apply to the solicitation or enrollment of Medicaid eligible subscribers*

(Renumber subsequent sections.)

And the title is amended as follows:

On page 5, line 2, after the semicolon (;) insert: amending s. 641.386, F.S.; providing for inapplicability of an exemption from agent licensing and appointment;

Amendment 9 (with title amendment)—On page 57, lines 28-30, and on page 58, lines 1 and 2, delete those lines and insert

(m)(4) *A statement that the organization will consult with a physician who is licensed under chapter 458 or chapter 459 prior to denying a claim for lack of medical necessity physicians employed by the applicant have been formally organized as a medical staff and that the applicant's governing body has designated a chief of medical staff.*

And the title is amended as follows:

On page 5, lines 25-27, delete "their chief of medical staff is a Florida-licensed physician" and insert: the organization will consult with a Florida-licensed physician prior to denying certain claims; deleting a requirement that an organization designate a chief of medical staff

Amendment 10—On page 61, lines 4-15, delete those lines and insert

(b) *An organization that has a Medicaid contract shall at least annually review each primary care physician's active patient load and shall ensure that additional Medicaid recipients are not assigned to physicians that have a total active patient load of more than 3,000 patients. As used in this paragraph, the term "active patient" means a patient who is seen by the same primary care physician, or by a physician assistant or advanced registered nurse practitioner under the supervision of the primary care physician, at least three times within a calendar year. Each primary care physician shall annually certify to the organization whether or not his or her patient load exceeds the limits established under this paragraph and the organization shall accept such certification on face value as compliance with this paragraph. The agency shall accept the organization's representations that it is in compliance with this paragraph based on the certification of its primary care physicians, unless the agency has an objective indication that access to primary care is being compromised, such as receiving complaints or grievances relating to access to care. If the agency determines that an objective indication exists that access to primary care is being compromised, it may verify the patient load certifications submitted by the organization's primary care physicians and that the organization is not assigning Medicaid recipients to primary care physicians who have an active patient load of more than 3,000 patients.*

Senator Johnson moved the following amendment which was adopted

Amendment 11 (with title amendment)—On page 11, between lines 10 and 11, insert

Section 2. Subsection (1) of section 409.9071, Florida Statutes, is amended to read:

409.9071 Medicaid provider agreements for school districts certifying state match.—

(1) Subject to any limitations provided for in the General Appropriations Act, the agency, in compliance with appropriate federal authorization, shall develop policies and procedures to allow for certification of state and local education funds which have been provided for physical,

occupational, and speech therapy services. Any state or local funds certified pursuant to this section shall be for children with specified disabilities who are eligible for both Medicaid and the exceptional student education program, and who have an individualized educational plan that demonstrates that such services are medically necessary and a physician authorization order where required by federal Medicaid laws that such services are medically necessary

(Renumber subsequent sections.)

And the title is amended as follows

On page 1, line 11, after the semicolon (;) insert amending s 409 9071, F S, modifying required documentation of medical necessity for certain Medicaid eligible school children, CB18.5>

Senators Holzendorf and Jenne offered the following amendment which was moved by Senator Holzendorf:

Amendment 12 (with title amendment)—On page 27, line 31, insert:

(27) Any entity contracting with the agency pursuant to subsection (2), subsection (3), subsection (4), or subsection (5) to provide health care services to Medicaid recipients is prohibited from engaging in any of the following practices or activities

(a) Practices prohibited in ss 641 309(2), 641 37, and 641 3903

(b) Activities that could mislead or confuse recipients or misrepresent the organization, its marketing representatives, or the agency. Violations of this paragraph include, but are not limited to:

1 False or misleading claims that marketing representatives are employees or representatives of the state or county or of anyone other than the entity or the organization by which they are reimbursed

2 False or misleading claims that the entity is recommended or endorsed by any state or county agency or by any other organization that has not certified its endorsement in writing to the entity

3 False or misleading claims that the state or county recommends that a Medicaid recipient enroll with an entity

4 Claims that a Medicaid recipient will lose benefits under the Medicaid program, or any other health or welfare benefits to which the recipient is legally entitled, if the recipient does not enroll with the entity

(c) Granting or offering any monetary or other valuable consideration for enrollment

(d) Door-to-door solicitation of recipients who have not contacted the entity or who have not invited the entity to make a presentation

(e) Solicitation and enrollment of Medicaid recipients by marketing representatives stationed in state offices

(28) The agency shall require all entities under contract with the agency to ensure that appropriate foreign-language versions of all marketing and enrollment materials are developed and available to members and potential members. These foreign-language materials must be approved by the agency before they are used. Translated materials subject to agency approval may not be approved unless the materials accurately reflect the substance of the English version. Foreign-language versions of marketing and enrollment materials are required if the population speaking a particular foreign language represents at least 10 percent of the membership of an entity under contract with the agency. In addition, if the negotiations by an entity with a Medicaid recipient leading up to the effectuation of an enrollment application are conducted in a language other than English, the entity must supply to the Medicaid recipient a written translation of the enrollment application which accurately reflects the substance of the application and is in the language used to negotiate the application. The written translation must be affixed to and become a part of the application form

(29) The agency may impose a fine in an amount not to exceed \$20,000 for each violation of this section by a person or entity that is under contract with the agency

And the title is amended as follows

On page 2, line 29, following the semicolon (;) insert: prohibiting certain acts by entities that have contracted with the agency, requiring foreign-language versions of marketing and enrollment materials in certain circumstances, providing for civil fines for violations;

Senators Holzendorf and Jenne offered the following substitute amendment which was moved by Senator Holzendorf and adopted:

Amendment 13—On page 31, between lines 8 and 9, insert.

(7) The agency shall ensure that agents marketing managed care plans to clients in state office buildings do so only in designated areas and in such a way as to not interfere with the clients' activities in the state office

Senator Sullivan moved the following amendment which was adopted:

Amendment 14—On page 30, line 31 through page 31, line 1, delete those lines and insert:

3. A qualified Medicare beneficiary,

4. Eligible for the Medically Needy Program, or

5 Eligible for Medicaid services in schools pursuant to ss. 409 9071 and 409 908.

Senator Forman moved the following amendments which were adopted

Amendment 15 (with title amendment)—On page 91, lines 11-26, delete those lines and renumber subsequent sections.

And the title is amended as follows

On page 8, lines 6-8 delete those lines and insert: overlapping regulations; creating

Amendment 16—On page 92, line 7, delete the word "Correcting" and insert: Addressing

Amendment 17—On page 92, lines 15-18, delete those lines and insert

(1) Annually study its subscriber population to determine the most prevalent chronic diseases of its subscribers, design intervention strategies to reduce the morbidities and mortalities associated with at least two prevalent chronic

Senators Holzendorf and Jenne offered the following amendment which was moved by Senator Holzendorf and adopted:

Amendment 18—On page 28, line 3, delete "subsection (6) is" and insert. subsections (6) and (7) are

MOTION

On motion by Senator Jennings, the rules were waived and time of recess was extended until final action on CS for CS for SB 886.

Senator Jenne moved the following amendment which failed

Amendment 19—On page 31, between lines 8 and 9, insert.

(7) The agency shall prohibit the door-to-door solicitation of recipients who have not contacted the entity or who have not invited the entity to make a presentation

On motions by Senator Brown-Waite, by two-thirds vote CS for CS for SB 886 as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—35 Nays—5

REPORTS OF COMMITTEES

April 9, 1996

The Committee on Rules and Calendar respectfully recommends a new Senate Rule concerning campaign contributions. It is attached hereto and by reference made a part of this report.

Sincerely,
Toni Jennings, Chairman

1.361—Solicitation of Campaign Contributions

A Senator shall neither solicit nor accept any campaign contribution during the sixty-day regular legislative session on the Senator's own behalf or on behalf of a political party or on behalf of a candidate for the Senate, however, a Senator may contribute to the Senator's own campaign.

MOTION

On motions by Senator Jennings, the Report of the Committee on Rules and Calendar was amended to become effective Monday, April 15, 1996, and the report as amended was adopted. The vote was:

Yeas—39 Nays—None

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 10, 1996: SB 668, SB 1154, SB 1200, SB 1174, SB 322, SB 1002, SB 1230, SB 634, SB 802, SB 702, CS for SB 598, SB 356, CS for CS for SB 886

Respectfully submitted,
Toni Jennings, Chairman

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 196 with 1 amendment, SB 404 with 1 amendment, SB 628 with 1 amendment, SB 1672 with 2 amendments, SB 1758 with 1 amendment, SB 2212, SB 2832 with 1 amendment.

The Committee on Health and Rehabilitative Services recommends the following pass: SB 2690.

The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Agriculture recommends the following pass: SB 2810 with 2 amendments, SB 2812 with 1 amendment.

The bills were referred to the Committee on Governmental Reform and Oversight under the original reference.

The Committee on Executive Business, Ethics and Elections recommends the following pass: SJR 74.

The Committee on Health and Rehabilitative Services recommends the following pass: SB 2964 with 4 amendments.

The Committee on Health Care recommends the following pass: SB 1262 with 2 amendments.

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1168.

The bill was referred to the Committee on Natural Resources under the original reference.

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 968 with 1 amendment.

The bill was referred to the Committee on Regulated Industries under the original reference.

The Committee on Health and Rehabilitative Services recommends the following pass: SB 2526 with 3 amendments.

The Committee on Regulated Industries recommends the following pass: SB 2918 with 1 amendment.

The bills contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 144 with 1 amendment, SB 248 with 1 amendment, SB 728, SB 764, SB 858 with 2 amendments, SB 1216, SB 2226 with 1 amendment, SB 2296 with 3 amendments.

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1108, SB 2980.

The Committee on Health Care recommends the following pass: SB 922 with 5 amendments, SB 1260 with 1 amendment, SB 1708 with 1 amendment.

The Committee on Judiciary recommends the following pass: SB 676, CS for SB 910, SB 982 with 5 amendments, SB 1080 with 1 amendment, SB 1732.

The Committee on Rules and Calendar recommends the following pass: SB 2636 with 1 amendment.

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Judiciary recommends the following pass: CS for SB's 386, 732 and 1208, CS for SB 526, SB 1190 with 1 amendment, SB 1726 with 1 amendment.

The Committee on Regulated Industries recommends the following pass: SB 2666 with 5 amendments.

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Health Care recommends a committee substitute for the following: SB 332.

The bill with committee substitute attached was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Governmental Reform and Oversight recommends a committee substitute for the following: SB 2414.

The bill with committee substitute attached was referred to the Committee on Commerce and Economic Opportunities under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2314.

The Committee on Health Care recommends a committee substitute for the following: SB 2392

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 1312

The Committee on Transportation recommends a committee substitute for the following: SB 2952

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 932

The bill with committee substitute attached was referred to the Committee on Judiciary under the original reference.

The Committee on Executive Business, Ethics and Elections recommends a committee substitute for the following: SB 2774

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 2850

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2416

The Committee on Education recommends committee substitutes for the following: Senate Bills 1884 and 2682, SB 1916

The Committee on Governmental Reform and Oversight recommends committee substitutes for the following: SB 1100, SB 1888

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: Senate Bills 868 and 2672, SB 2190, SB 2708

The Committee on Health Care recommends committee substitutes for the following: SB 236, SB 746, SB 2798

The Committee on Natural Resources recommends a committee substitute for the following: SB 336

The Committee on Transportation recommends a committee substitute for the following: SB 1818

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 454, SB 456

The Committee on Judiciary recommends a committee substitute for the following: SB 1658

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2210

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Dyer—

SB 3040—A bill to be entitled An act relating to postsecondary education; creating s. 240.1164, F.S.; providing intent; requiring the development of policies for grade forgiveness, withdrawal, and appeal; amending s. 240.2097, F.S.; revising contents of university student handbooks; amending s. 240.261, F.S.; requiring the establishment of a committee to review rules regarding student due process rights; directing the Postsecondary Education Planning Commission to conduct a review; providing an effective date

—was referred to the Committees on Higher Education; and Ways and Means

By Senator Crist—

SM 3042—A memorial to the United States Congress urging Congress to prepare an amendment to the United States Constitution, for submission to the states for ratification, which will require balancing the federal budget.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 3044—A bill to be entitled An act relating to information management; providing that public-record information produced and stored by a state agency may not be made available for commercial use unless a fee therefor is paid to the state; creating the Information Marketing Council in the Department of Management Services and providing its powers and duties; providing for the deposit of revenues from the sale of information; amending s. 11.39, F.S.; providing additional duties of the Legislative Information Technology Resource Committee with respect to reviewing the managing and marketing of information and the use of technology by state agencies; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

By Senator Wexler—

SR 3046—A resolution honoring Harry A. Johnston for his many years of service to the state

—was referred to the Committee on Rules and Calendar.

By Senator Ostalkiewicz—

SB 3048—A bill to be entitled An act relating to Volusia County; amending s. 14 of chapter 57-2085, Laws of Florida, as amended, reducing the millage of ad valorem tax which the Board of Commissioners of the West Volusia Hospital Authority may assess and levy for 1996 and 1997; prohibiting the board of commissioners from assessing or levying an ad valorem tax within the district after 1997; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar

By Senator Dantzler—

SB 3050—A bill to be entitled An act relating to Polk County; creating the Polk County Historical Commission, providing its membership and

the method of members' selection; providing duties of the commission and other county officers; providing for continuation in office of members of the predecessor commission; repealing ch. 84-519, Laws of Florida, which creates the Polk County Historical Commission; providing an effective date

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar

By Senator Hargrett—

SR 3052—A resolution recognizing April 21 through April 27, 1996, as "Organ and Tissue Donor Awareness Week" and encouraging Floridians to become part of the Florida Organ and Tissue Donor Registry

—was referred to the Committee on Rules and Calendar.

SR 3054 was introduced out of order and adopted April 3.

By Senator Hargrett—

SR 3056—A resolution recognizing Adela Hernandez Gonzmart.

—was referred to the Committee on Rules and Calendar.

By Senator Hargrett—

SR 3058—A resolution recognizing Fortune (Fortunato) Bosco

—was referred to the Committee on Rules and Calendar.

SR 3060 was introduced out of order and adopted April 3

By Senator McKay—

SB 3062—A bill to be entitled An act relating to Manatee County, authorizing Manatee County to adopt an ordinance that incorporates s. 775.0833, F.S.; providing for establishment and operation under Florida law, providing for funding of a juvenile assessment center and suspension program if the sheriff is a partner in the program through the assessment of an additional court cost against every person convicted of a violation of a criminal statute, an ordinance, or a traffic offense in Manatee County; providing for administration by the clerk of the circuit court, providing an effective date

Proof of publication of the required notice was attached.

—was referred to the Committees on Ways and Means; and Rules and Calendar

SR 3064 was introduced out of order and adopted April 3

By Senator Harden—

SR 3066—A resolution commending the Woman's Club of Fort Walton Beach on the occasion of its 75th anniversary

—was referred to the Committee on Rules and Calendar.

By Senator Thomas—

SR 3068—A resolution commending the Tallahassee Chamber of Commerce, Leadership Tallahassee, and Leadership Tallahassee Class

XIII for their commitment to developing and fostering leadership and community involvement in the Tallahassee-Leon County area.

—was referred to the Committee on Rules and Calendar

By Senator Harris—

SR 3070—A resolution declaring Girls and Women in Sports Day

—was referred to the Committee on Rules and Calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Health Care and Senator Jenne—

CS for SB 236—A bill to be entitled An act relating to health care, creating s. 381.0407, F.S.; providing legislative findings and intent relating to community-based primary-care centers; providing definitions, requiring cost reports from community-based primary-care centers; authorizing Medicaid payments to a center; providing for reimbursements; providing for an annual reconciliation; providing for future repeal; amending s. 409.912, F.S.; authorizing health maintenance organizations to contract with community-based primary-care centers for enrollment of members and for services, requiring the Agency for Health Care Administration to determine a rate of payment for health maintenance organizations serving certain patients, providing an effective date

By the Committee on Health Care and Senators Grant, Jennings, Thomas, Johnson, Childers, Rossin, Silver, Holzendorf, Horne, Jenne, Gutman, Casas, Weinstein, Brown-Waite, Latvala, Beard, Harris, Myers, Ostalkiewicz, Forman and Kirkpatrick—

CS for SB 332—A bill to be entitled An act relating to osteoporosis; creating s. 402.475, F.S., establishing the osteoporosis prevention and education program within the Department of Health and Rehabilitative Services, providing duties and responsibilities; providing for implementation by the State Health Office, in consultation with the Agency for Health Care Administration and the Department of Elderly Affairs; creating ss. 627.6409, 627.6691, F.S.; requiring health insurance policies and group, blanket, or franchise health insurance policies that cover residents of this state and that are issued, amended, delivered, or renewed in this state after a specified date to provide coverage for the medically necessary diagnosis and treatment of osteoporosis for certain high-risk persons, providing exceptions, amending s. 641.31, F.S.; requiring health maintenance contracts that cover a resident of this state and that are issued, amended, delivered, or renewed in this state after a specified date to provide specified coverage with respect to osteoporosis, amending s. 627.6515, F.S.; amending the list of policies that are exempted from the requirements of part VII of ch. 627, F.S., recognizing a specific state interest; providing an effective date

By the Committee on Natural Resources and Senator Johnson—

CS for SB 336—A bill to be entitled An act relating to boating safety; amending s. 327.39, F.S., restricting the operation or use of a personal watercraft under certain circumstances; creating s. 327.395, F.S.; requiring certain persons who operate certain vessels to obtain boating safety identification cards; requiring education courses or examinations; providing for the appointment of agents, requiring fees; providing exemptions; providing penalties; providing for the adoption of rules; amending s. 327.54, F.S., prohibiting the rental of vessels or personal watercraft to certain persons under specified circumstances, requiring the display of certain information relating to boating safety, providing penalties; amending s. 327.73, F.S., revising language with respect to noncriminal infractions, providing that failure to comply with s. 327.395, F.S., is a noncriminal infraction; providing for the disposition of criminal penalties; amending s. 327.731, F.S.; requiring documentation to be filed with the Department of Environmental Protection; providing a noncriminal infraction; requiring the compilation of statistics, providing an effective date

By the Committee on Banking and Insurance; and Senator Casas—

CS for SB 454—A bill to be entitled An act relating to statutes of limitations, amending s. 95.11, F.S., providing for the tolling of the statute of limitations and statute of repose with respect to claims of medical malpractice by certain minors, providing an effective date

By the Committee on Banking and Insurance; and Senator Burt—

CS for SB 456—A bill to be entitled An act relating to insurance, creating s. 624.4071, F.S.; authorizing a certificate of authority to operate a special-purpose homeowner insurance company; providing standards for issuance of the certificate, specifying the operations; specifying the application of regulatory requirements; providing for exemptions from regulatory requirements for a special-purpose homeowner insurance company; specifying the sources and procedures for assumption of policies; providing procedures concerning policyholders; providing procedures for the special-purpose homeowner insurance company; providing for expiration of the section, providing an effective date.

By the Committee on Health Care and Senator Kurth—

CS for SB 746—A bill to be entitled An act relating to nursing, amending s. 464.003, F.S.; replacing the definition of "department" with the definition of "agency" to conform to current law under which the Agency for Health Care Administration is responsible for the regulation of nursing, redefining the term "advanced or specialized nursing practice" to revise provisions relating to membership on the joint committee responsible for identifying and approving the various medical acts that advanced registered nurse practitioners may perform; providing for appointment and terms of members, amending s. 464.004, F.S.; increasing the membership of the Board of Nursing and providing for appointment and terms of the new members; amending s. 464.012, F.S.; revising various certification requirements for advanced registered nurse practitioners; authorizing advanced registered nurse practitioners to order diagnostic tests and physical and occupational therapy under certain circumstances; amending ss. 464.008, 464.009, 464.013, 464.014, 464.018, and 464.019, F.S.; conforming terminology, clarifying a ground for disciplinary action relating to possession, sale, or distribution of controlled substances; requiring the Agency for Health Care Administration to conduct a study of advanced registered nurse practitioners; providing for a report; requiring the Agency for Health Care Administration to appoint a task force to study the prescribing of controlled substances by advanced registered nurse practitioners; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senators Ostalkiewicz and Bankhead—

CS for SB's 868 and 2672—A bill to be entitled An act relating to child welfare; amending s. 402.17, F.S., relating to trust property of clients of the Department of Health and Rehabilitative Services, providing fiduciary responsibilities and duties of the department as trustee and guidelines relating to such property, providing requirements for the department with respect to the disposition of money and property of clients who attain majority or who are discharged from the custody of the department; amending s. 409.175, F.S.; modifying the conditions under which a child can be received for placement or can be placed in care; correcting a reference; amending s. 409.176, F.S.; providing for the registration of certain family foster homes, repealing obsolete provisions, providing legislative intent, requiring the department to implement competency-based training systems for child protection staff of the department, providing for the development and implementation, with the assistance of the Department of Management Services, of competency-based job classifications with competitive pay grade assignments, requiring competency-based training prior to assignment to the new job classifications by current child protection staff, requiring the department to form partnerships with the schools of social work of the universities of the state in order to promote the development of graduates trained to work in child protection, requiring the department to give hiring preference to such graduates; providing standards for such partnerships, requiring that student hours be fundable hours with respect to universities; providing that implementation is contingent upon an

appropriation and available federal funds, where applicable; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senators Brown-Waite, Bankhead and Childers—

CS for SB 932—A bill to be entitled An act relating to The Baker Act; amending s. 394.453, F.S.; revising legislative intent relating to mental health programs; deleting responsibilities of the Department of Health and Rehabilitative Services, amending s. 394.455, F.S., revising definitions; amending s. 394.457, F.S.; revising responsibilities of the department with respect to administrative supervision of mental health facilities, programs, and services; providing for rules and minimum standards; providing for personnel training materials; requiring that community-based mental health treatment services be competitively procured; providing for rules; amending s. 394.4572, F.S.; revising requirements for employment screening, providing exemptions; amending s. 394.4573, F.S.; clarifying requirement for a continuity of care management system; amending s. 394.458, F.S.; clarifying prohibition on introduction or removal of certain articles at a hospital providing mental health services, for which a penalty is provided; amending s. 394.459, F.S.; revising rights of patients; providing for emergency medical treatment under specified circumstances, providing for a patient's access to a telephone and to visitors, providing for inventory of the patient's personal effects, deleting requirements relating to the education of children in facilities; providing for report of certain violations, authorizing imposition of sanctions based on certain investigation and findings, requiring posting of notice of rights of patients; creating s. 394.4595, F.S.; providing access to patients and records for human rights advocacy committees; creating s. 394.4597, F.S.; providing for identification or selection of a patient's guardian or representative, creating s. 394.4598, F.S.; providing for appointment of a guardian advocate; providing qualifications, requirements, and restrictions, creating s. 394.4599, F.S.; providing requirements relating to notice of a patient's admission, placement, change of status, transfer, and discharge; amending s. 394.460, F.S., relating to rights of professionals, amending s. 394.461, F.S.; providing for designation of receiving and treatment facilities; deleting provisions relating to patient transfers and criminally charged or convicted mentally ill persons, creating s. 394.4615, F.S.; modifying provisions relating to confidentiality of patient records; providing for patient access; providing for certain uses of information from clinical records, providing a penalty for falsification of records; creating s. 394.462, F.S.; providing for transportation to a receiving facility by a designated law enforcement agency; limiting certain responsibilities of receiving facilities; providing for transportation to a treatment facility by independent contractors; clarifying that this section does not affect the provisions of s. 401.445, F.S., providing for exceptions to requirements for the transport of patients, amending s. 394.463, F.S., revising requirements relating to involuntary examination, requiring certain recordkeeping and analysis of records; amending and renumbering s. 394.465, F.S., revising provisions relating to assessment, admission, and discharge of voluntary patients, and transfers between voluntary and involuntary status; providing for duties of a mobile crisis response service; amending s. 394.467, F.S., revising procedures and requirements relating to involuntary placement; providing for appointment of counsel, revising hearing requirements; providing for return of patients who leave a facility without authorization, amending s. 394.4672, F.S., clarifying procedure for placement of a veteran with a federal agency; amending s. 394.4674, F.S.; clarifying the state plan for deinstitutionalization of certain patients; amending s. 394.468, F.S.; clarifying effect of procedures and policies under pt. I of ch. 394, F.S.; creating s. 394.4685, F.S., providing for transfer of patients among facilities, amending s. 394.469, F.S.; revising requirements relating to discharge of involuntary patients; amending s. 394.475, F.S., relating to acceptance of Florida residents from out-of-state mental health authorities, amending ss. 394.4786, 394.4787, and 394.4788, F.S.; clarifying provisions relating to acute mental health services provided through the Public Medical Assistance Trust Fund; amending s. 394.90, F.S., relating to access to clinical records, to conform to the act; amending s. 395.003, F.S.; providing references to pt. I of ch. 394, F.S., amending s. 395.1041, F.S.; clarifying rights of certain persons receiving emergency services and care; amending s. 395.1055, F.S.; providing for enforcement of pt. I of ch. 394, F.S., by the Agency for Health Care Administration; amending s. 395.1065, F.S.; authorizing the Agency for Health Care Administration to rely on investigations and findings by the Department of Health and Rehabilitative Services in imposing penalties for violation of pt. I of ch. 394, F.S., by a facility, amending s. 395.3025, F.S.;

conforming provisions relating to patient records; amending s. 400.0255, F.S.; revising notice requirements relating to discharge or transfer of a nursing home resident; amending ss. 400.102, 400.414, 400.556, and 400.6196, F.S.; providing that failure to follow the procedures of pt. I of ch. 394, F.S., relating to transfer, voluntary admission, and involuntary examination is grounds for action against the license of a nursing home, assisted-living facility, adult day care center, or adult family-care home, reenacting s. 400.121(1), F.S., to incorporate the amendment to s. 400.102, F.S., in a reference, amending ss. 400.4075, 400.426, 419.001, 455.2415, 744.704, 916.107, 943.0585, and 943.059, F.S., correcting cross-references; amending s. 744.3215, F.S.; conforming provisions relating to guardianship and rights of persons determined to be incapacitated, amending ss. 765.101, 765.104, 765.110, and 765.205, F.S., conforming provisions relating to health care advance directives and health care surrogates, amending s. 765.202, F.S., providing for designation of a separate health care surrogate to consent to mental health treatment; amending s. 916.107, F.S.; requiring hearings for involuntary treatment for mentally deficient or mentally ill defendants to be held in physical settings not likely to be injurious to the patient's condition; providing for the use of masters at said hearings; repealing s. 394.471, F.S., relating to validity of prior involuntary placement orders, repealing s. 394.477, F.S., relating to state residency requirements for involuntary placement; repealing s. 394.478, F.S., relating to autopsy of certain deceased patients, providing an effective date.

By the Committee on Governmental Reform and Oversight, and Senator Ostalkiewicz—

CS for SB 1100—A bill to be entitled An act relating to state government, requiring the Comptroller to publish annually the amount spent on labor under state contracted services; imposing certain duties on the Comptroller, specifying requirements for certain procurement contracts; providing duties of the procuring agency; providing application, providing an effective date.

By the Committee on Education and Senator Johnson—

CS for SB 1312—A bill to be entitled An act relating to school safety, requiring the department to establish a statewide school-safety hotline to be used to report incidents that affect the safety and well-being of a school's population, providing for reports to be made anonymously, requiring that a school official be notified of certain reports within a specified period; providing for quarterly reports; providing an effective date.

By the Committee on Judiciary—

CS for SB 1658—A bill to be entitled An act relating to domestic violence; amending s. 741.281, F.S.; providing broader application of section, deleting a requirement for written findings of fact and requiring a statement on the record, amending s. 741.30, F.S., giving courts the discretion to order attendance at batterers' intervention programs; requiring courts to order attendance in specified circumstances; amending s. 741.31, F.S., requiring a court to order a respondent to a batterers' intervention program in certain circumstances; requiring additional information in the report from the Association of Florida Clerks of Court, providing an effective date.

By the Committee on Transportation and Senator Bronson—

CS for SB 1818—A bill to be entitled An act relating to golf carts; amending s. 316.212, F.S., allowing golf carts to be operated on golf-cart ways under specified conditions; amending s. 316.2125, F.S.; conforming a reference; allowing a local government to condition the operation of golf carts on a roadway of local jurisdiction, amending s. 336.045, F.S., allowing the Department of Transportation to adopt uniform minimum standards for the design, construction, and maintenance of golf-cart ways, providing an effective date.

By the Committee on Education and Senator Sullivan—

CS for SB's 1884 and 2682—A bill to be entitled An act relating to education, creating s. 229.5912, F.S.; establishing a procedure for identifying schools that perform at critically low levels, prescribing duties of the Commissioner of Education, the State Board of Education, and district school boards with respect to such schools, providing for creation of performance review panels for such schools; providing for reports and recommendations by such panels; providing for withholding state funds from a school district in certain circumstances; providing an effective date.

By the Committee on Governmental Reform and Oversight; and Senator Kirkpatrick—

CS for SB 1888—A bill to be entitled An act relating to state purchasing; creating s. 287.1345, F.S., authorizing the Department of Management Services to impose a surcharge on users of state term contracts for certain purposes; providing for collection and deposit of surcharge proceeds; authorizing the Executive Office of the Governor to exempt certain transactions from surcharge under certain circumstances, amending s. 287.017, F.S.; raising the threshold amount for a purchasing category; amending s. 287.042, F.S., authorizing the Division of Purchasing to restrict certain purchases from state term contracts; authorizing state agencies to advertise requests for proposals and invitations to bid on the Florida Communities Network, authorizing state agencies to waive requirement for such advertising; amending s. 287.056, F.S., giving agencies the option to purchase from state term contracts that contain a surcharge; deleting a local purchasing option for state agencies; deleting a requirement that certain documentation be maintained and submitted on local purchases; deleting a requirement that the Auditor General audit and report on such documentation, deleting a requirement for legislative review; amending s. 287.057, F.S., raising the threshold amount for single source purchases; authorizing state agencies to negotiate term and conditions of single source purchases, requiring certain documentation and quarterly reports on such purchases, authorizing agencies to designate at least one employee to serve as contract administrator; amending s. 287.058, F.S., allowing for certain information to be included in contracts by reference, repealing s. 287.012(12), F.S., relating to the definition of local purchasing source, repealing s. 287.043, F.S., relating to agency authorization to purchase printing and reproduction facilities without prior division approval; providing an effective date.

By the Committee on Education and Senator Sullivan—

CS for SB 1916—A bill to be entitled An act relating to education, amending s. 20.04, F.S.; exempting the Department of Education from certain requirements for agency structure; amending s. 20.15, F.S., revising duties of the State Board of Education; providing for the Commissioner of Education rather than the State Board of Education to head of the Department of Education; providing for the appointment of a Deputy Commissioner for Educational Programs, providing for the appointment of a Deputy Commissioner for Planning, Budgeting, and Management; abolishing the divisions within the Department of Education, providing for the Commissioner of Education rather than the State Board of Education to appoint the councils and committees within the Department of Education, amending s. 228.041, F.S., revising definitions; transferring and renumbering s. 228.053, F.S., relating to developmental research schools; transferring and renumbering s. 228.054, F.S., relating to the Joint Developmental Research School Planning, Articulation, and Evaluation Committee, amending s. 228.061, F.S.; specifying additional programs and services that may be provided by a school board, amending s. 228.081, F.S., requiring the State Board of Education and the department to provide certain assistance for educational programs of the Department of Juvenile Justice, transferring, renumbering, and amending s. 228.0855, F.S., relating to the Florida Model School Consortia, deleting requirements for establishing prototype technology schools, abolishing the Trust Fund for the Model School Consortia; providing for certain schools to serve as demonstration sites; transferring, renumbering, and amending s. 228.086, F.S.; providing for the Department of Education to award grants for establishing area centers for educational enhancement, deleting provisions for establishing regional centers of excellence in mathematics, science, computers, technology, and global awareness;

transferring and renumbering s. 228.091, F.S., relating to trespass upon the grounds or facilities of a public school; transferring, renumbering, and amending s. 228.092, F.S.; requiring a nonpublic school to retain health data as part of the student records; amending s. 228.195, F.S., relating to school food service programs; deleting obsolete provisions; transferring and renumbering s. 228.501, F.S., relating to the Learning Development and Evaluation Center at Florida Agricultural and Mechanical University; amending s. 229.011, F.S.; revising certain functions of the state with respect to public education; amending s. 229.053, F.S.; revising the powers and duties of the State Board of Education; requiring the State Board of Education to establish a clearinghouse for information on economic development; amending s. 229.111, F.S., providing for the Commissioner of Education to assume the duties of the State Board of Education with respect to the acceptance of gifts; amending s. 229.512, F.S.; revising the duties of the Commissioner of Education to conform to changes made by the act; amending s. 229.551, F.S.; revising requirements for a course designation and numbering system; amending s. 229.559, F.S., relating to the use of student's social security numbers, deleting obsolete provisions; amending s. 229.565, F.S.; revising the program categories that are subject to student performance standards; deleting a requirement that the State Board of Education approve standards of excellence; deleting requirements for an evaluation of the Florida Primary Education Program; amending s. 229.57, F.S.; revising requirements of the statewide student testing program and the assessment test, amending s. 229.58, F.S.; revising the membership requirements for the school district advisory council; requiring that the school advisory council review the school's annual budget; amending ss. 229.591, 229.592, F.S., relating to school improvement and education accountability; deleting a reference to Blueprint 2000; deleting obsolete provisions; authorizing the Commissioner of Education to waive certain provisions of the Florida School Code upon the request of a school board; amending s. 229.593, F.S., relating to the Florida Commission on Education Reform and Accountability; deleting obsolete provisions; revising requirements for appointing members to the commission and holding meetings, amending s. 229.602, F.S., relating to private sector and education partnerships; correcting references to vocational education programs; amending ss. 229.75, 229.76, F.S., revising duties of the State Board of Education to conform to changes made by the act, amending s. 229.79, F.S.; providing for the Department of Education to assist school boards in securing services; providing for certain additional contracts; transferring, renumbering, and amending s. 229.085, F.S., relating to the custody of educational funds; amending s. 229.8055, F.S., relating to environmental education, conforming a cross-reference; transferring and renumbering s. 229.133, F.S., relating to career education programs, amending ss. 11.42, 39.0574, F.S., relating to the Auditor General; conforming cross-references to changes made by the act, amending ss. 229.592, 229.808, 230.2305, 230.2316, 231.1715, 232.23, 232.2468, 232.248, 233.011, 239.505, 240.237, 240.323, 242.3315, 282.502, 402.32, 411.223, F.S.; relating to exceptions to laws, nonpublic school surveys, prekindergarten programs, dropout prevention, confidentiality of examinations and other records, student performance standards, interagency cooperation, information coordinating councils, school health services, and uniform standards, conforming cross-references to changes made by the act; repealing ss. 228.0617, 228.062, 228.085, 228.087, 228.0875, 228.088, 228.121, 228.503, 229.021, 229.121, 229.52, 229.594(1)(b), 229.603, 229.6054, 229.6055, 229.771, 229.78, 229.781, 229.8041, 229.8056, 229.807, F.S., relating to school-age child care, migrant education, the state comprehensive plan for mathematics, science, and computer education; summer camp programs in mathematics, science, and computers; the Governor's Summer Colleges residential programs; security programs for high schools and secondary schools; nonresident tuition fees and fee exemptions; the dropout reentry and mentor project; meeting dates for the State Board of Education; authority of the State Board of Education to exchange land; duties of the State Board of Education with respect to economic development; duties of the Florida Commission on Education Reform and Accountability; the Instructional Technology Grant Program, international education; removal from office of certain members appointed by the State Board of Education; maintenance of the department; preservation and destruction of records, educational computing; the Office of Environmental Education within the department; and conferences of public school personnel; providing that specified rules of the state board in effect September 30, 1996, shall remain in effect until amended or revoked, providing an effective date

By the Committee on Health and Rehabilitative Services; and Senator Bankhead—

CS for SB 2190—A bill to be entitled An act relating to child welfare; providing for the implementation of competency-based training systems for child protection staff of the Department of Health and Rehabilitative Services, providing for the development and implementation of competency-based job classifications with competitive pay grade assignments; requiring competency-based training for current child protection staff, requiring the department to form partnerships with schools of social work to promote the development of graduates trained to work in child protection; requiring the department to give hiring preference to such graduates, providing standards for such partnerships; requiring that student hours be fundable hours with respect to universities; providing that implementation is contingent upon an appropriation and available federal funds; providing an effective date

By the Committee on Regulated Industries and Senator Casas—

CS for SB 2210—A bill to be entitled An act relating to tax on tobacco products, creating s. 210.155, F.S., defining "primary American source of supply", requiring registration as a primary American source of supply; prohibiting distributing agents and wholesale dealers from delivering, or accepting delivery of, cigarettes other than directly from a primary American source of supply; requiring reports; providing for seizure and forfeiture; amending s. 210.15, F.S., providing that permit applicants file fingerprints when required by the division; amending s. 210.151, F.S., relating to temporary initial cigarette and other tobacco products permits, to conform; revising provisions relating to the period of validity of such permits, amending s. 210.16, F.S.; providing for revocation and suspension of registration of a primary American source of supply; providing for renewal of registration subsequent to revocation; providing for civil penalties in lieu of revocation or suspension; providing an effective date.

By the Committee on Banking and Insurance; and Senators Grant, Burt, Childers, Latvala, Gutman, Williams, Holzendorf and Thomas—

CS for SB 2314—A bill to be entitled An act relating to insurance; creating s. 215.5551, F.S., authorizing the board to issue bonds to reimburse insurers for claims paid on dwelling structures included in coverage only of a standard homeowner insurance policy; providing conditions for such reimbursement; authorizing the board to purchase reinsurance; creating s. 215.5552, F.S.; providing for use of moneys appropriated by the Legislature from the Florida Hurricane Catastrophe Fund for mitigation purposes; creating s. 624.4041, F.S.; providing that an insurer's authority to transact business may not be conditioned on the number or type of policies it writes or could write in the state of upon a requirement that the insurer write other kinds of insurance; amending s. 626.2815, F.S.; altering the continuing education requirements for agents; providing new membership criteria for the continuing education advisory board, providing conditions for appointment, providing for application of the continuing education requirements to nonresidents; authorizing the Department of Insurance to enter into contracts; creating s. 626.9153, F.S.; providing for exportation of hurricane deductible risk in residential coverage to surplus lines; creating s. 626.9293, F.S., prescribing conditions for and limitations on windstorm coverage for newly constructed buildings, amending s. 627.062, F.S.; providing time periods for rate filings; providing definitions, providing procedures; providing for changes concerning rate factors; providing changes to the catastrophe reserve, providing for burden of proof for residential coverages; providing for arbitration; providing procedures for arbitration, creating s. 627.0622, F.S.; providing for pass-through of assessments and surcharges; amending s. 627.0628, F.S.; providing an additional member to the Florida Commission on Hurricane Loss Projection Methodology, exempting members and certain employees of the commission and members and employees of the State Board of Administration from liability for performance of their statutory duties; providing a statement of legislative intent, providing additional duties of the commission; providing authority for the department; amending s. 627.0629, F.S.; providing a calculation for rates, providing procedures for rates; providing requirements for premium notice; providing requirements for rate filing; providing for a public hearing if ordered by the Insurance Commissioner; providing for a phase-in of rates, requiring certain insurers to provide

windstorm and hurricane coverage; providing exemptions; creating s. 627.0631, F.S.; providing for equalization of surcharges and assessments; amending s. 627.351, F.S.; providing for bonding authority; providing conditions under which newly constructed buildings are eligible for windstorm coverage provided by the Windstorm Joint Underwriters Association; specifying composition of the board of directors; providing conditions under which the Residential Property and Casualty Underwriting Association must offer hurricane coverage; authorizing certain other coverage; providing a date for a certain rate calculation, providing requirements for rates, providing for deactivation of coverage offered by the association on a specified date and for subsequent reactivation; providing standards for servicing carriers; providing for payment of assessments, authorizing a length of time for coverage, providing financing powers; amending s. 627.3512, F.S., providing for recoupment of deficit assessments; creating s. 627.3513, F.S.; requiring the Department of Insurance to make quarterly reports of the accumulated statutory deficit or surplus of the association; creating s. 627.3514, F.S., providing criteria for the payment of a bonus under the take-out program, amending s. 627.4025, F.S., including certain coverage within the definition of residential coverage, defining hurricane coverage; creating s. 627.41341, F.S., authorizing for a limited time a residential property policy form to be known as a Residential JUA Supplemental Policy; requiring certain coverage for hurricanes; amending s. 627.7013, F.S.; revising provisions restricting hurricane-related cancellations and nonrenewals of personal lines property insurance policies; repealing the moratorium phaseout; providing for moratorium completion, specifying allowable cancellations and nonrenewals; providing for exceptions and waivers; providing that certain actions do not constitute violations; providing for reports; providing for enforcement; providing applicability; creating s. 627.7014, F.S., providing findings and purpose, creating a limited moratorium on hurricane-related cancellations or nonrenewals of condominium association residential policies, authorizing waivers; specifying actions that do and do not constitute cancellations or nonrenewals; specifying applicability; requiring reporting; providing for rules, providing for future repeal; creating the Hurricane Loss Mitigation Expenditure Advisory Board; specifying duties; creating s. 627.7016, F.S.; authorizing insurers offering residential coverage to contract with building contractors skilled in techniques that mitigate hurricane damage and to offer policyholders the option to select the contractor's services to repair hurricane damage creating s. 627.4138, F.S.; requiring the department to approve new Gap Insurance policies; amending s. 627.701, F.S., increasing deductibles for hurricane losses, providing for choice by policyholders, providing for an acknowledgment; requiring incentives for mitigation; amending s. 626.918, F.S., exempting certain surplus lines insurers from certain eligibility requirements, requiring that such insurers maintain a specified surplus as to policyholders, providing for severability; providing an effective date

By the Committee on Health Care and Senator Brown-Waite—

CS for SB 2392—A bill to be entitled An act relating to hospitals; amending s. 155.40, F.S.; providing for the sale or lease of county, district, or municipal hospitals; providing conditions; providing for applicability to sales, leases, or contracts entered into before the effective date of the act; providing that s. 155.40, F.S., does not affect a lease or contract executed under that section which is in default or is the subject of an allegation of default pending before a court; providing for inapplicability of a provision to certain leases and financial support agreements invalidated by court order entered before April 1, 1996, providing an effective date

By the Committee on Governmental Reform and Oversight; and Senator Jenne—

CS for SB 2414—A bill to be entitled An act relating to wireless communications; amending ss. 282.102, 321.02, and 338.235, F.S., authorizing certain agencies of the state to enter into contracts or agreements to make available certain property or structures for wireless providers and telecommunications companies under certain circumstances, authorizing the charging of fees for the use of such property; providing an effective date.

By the Committee on Banking and Insurance, and Senator Jenne—

CS for SB 2416—A bill to be entitled An act relating to insurance, amending s. 624.424, F.S.; providing that an insurer may not use the same accountant for its annual audit for more than a specified period; amending s. 627.6675, F.S., providing for conversion of a group health policy into a converted policy approved by the Department of Insurance and issued by an insurer authorized to transact business in the state; amending ss. 627.674, 627.6742, and 627.6744, F.S.; updating federal requirements for Medicare supplement insurance; amending s. 627.6745, F.S., clarifying loss ratio standards for individual policies and updating federal requirements for Medicare supplement insurance; amending s. 627.6746, F.S.; updating federal requirements for Medicare supplement insurance, amending s. 624.463, F.S., authorizing a self-insurance fund to convert to a domestic stock insurer, amending s. 628.6017, F.S.; providing procedures for conversion of a self-insurance fund, medical malpractice risk management trust, or assessable mutual insurer into a stock insurer; providing an effective date

By the Committee on Health and Rehabilitative Services, and Senator Bankhead—

CS for SB 2708—A bill to be entitled An act relating to special care units; amending s. 400.402, F.S.; defining the term "special care unit" for purposes of part III, ch. 400, F.S., relating to assisted living facilities; amending s. 400.4177, F.S., requiring that an assisted living facility provide a special care unit for the care of persons who have Alzheimer's disease or related disorders; amending s. 400.452, F.S., providing additional training requirements for staff who work in special care units and for direct caregivers; requiring that the training be completed by specified dates, specifying topics to be included in level I and level II curricula, requiring continuing education for direct caregivers, providing for certification upon completion of training; providing for employees of certain facilities to receive training at no charge; providing requirements for providers of initial and continuing education courses; requiring the Department of Elderly Affairs to approve courses and providers, amending s. 400.441, F.S., relating to rules establishing standards; providing for the department to adopt such rules at its discretion; amending s. 400.407, F.S., relating to licensure of facilities, conforming a cross-reference to changes made by the act; providing an effective date

By the Committee on Executive Business, Ethics and Elections, and Senator Jenne—

CS for SB 2774—A bill to be entitled An act relating to lobbying; amending s. 11.045, F.S.; providing registration requirements; providing for procedures with respect to reporting; providing time requirements with respect to reports; eliminating language permitting reporting statements filed by legislative branch lobbyists to not be filed under certain circumstances, providing for an automatic fine for late-filed reports; providing for appeal of fines; directing the Legislature to adopt rules and procedures with respect to reports, amending s. 112.3215, F.S.; providing additional registration requirements, providing requirements for cancellation; authorizing the commission to set the registration fee by rule for executive branch lobbyists; eliminating language permitting reporting statements filed by executive branch lobbyists to not be filed under certain circumstances, providing time requirements with respect to reports, providing for an automatic fine for late-filed reports; providing for appeal of fines; directing the commission to adopt rules and procedures with respect to reports; providing an effective date

By the Committee on Health Care and Senator Sullivan—

CS for SB 2798—A bill to be entitled An act relating to regulation of the medical professions; providing applicability of chapter 92-33, Laws of Florida, as amended, to terms used in the medical practice acts and other provisions of law relating to regulation of the medical professions; amending s. 20.165, F.S., relating to the Department of Business and Professional Regulation; eliminating reference to the Division of Medical Quality Assurance, amending s. 20.42, F.S., relating to the Agency for Health Care Administration; creating the Division of Medical Quality Assurance within the agency and assigning regulation of the medical professions to it; including naturopathy and medical physicists among

the medical professions to be regulated; correcting the name of a medical regulatory board; amending s. 381.81, F.S., relating to the Minority Health Improvement Act, to conform; amending s. 455.01, F.S., expanding the definition of "health care practitioner"; amending s. 455.02, F.S.; correcting a reference relating to regulatory boards; amending s. 455.206, F.S.; correcting a cross reference; amending s. 455.207, F.S.; authorizing the appointment of nonboard members to board committees; amending s. 455.214, F.S.; allowing limited licensees to work for certain agencies or institutions; amending s. 455.219, F.S., clarifying applicability to the Agency for Health Care Administration of provisions relating to receipt and disposition of fees; amending s. 455.2224, F.S., requiring incorporation of the recommendations of the State Health Officer with respect to health care practitioners infected with hepatitis B or the human immunodeficiency virus; amending s. 455.236, F.S., correcting a reference; amending s. 455.24, F.S.; revising provisions relating to the required statement in advertisements by health care providers for free or discounted services; adding health care providers to whom such provisions apply; amending s. 455.25, F.S., relating to disclosure of financial interests; requiring physicians or other health care providers to disclose their financial interest in certain entities, eliminating entity disclosure of financial interest; amending s. 456.12, F.S., including other licensed professions within the definitions of "healing arts" and "practitioner of the healing arts" for purposes of provisions regulating hypnosis; amending s. 457.103, F.S.; increasing membership of the Board of Acupuncture; amending s. 457.105, F.S., revising qualifications for certification to practice acupuncture; revising provisions relating to the purchase of the examination; amending s. 457.107, F.S., requiring a specified number of continuing education hours to be on human immunodeficiency virus and acquired immune deficiency syndrome, increasing a fee cap; amending s. 457.109, F.S.; revising grounds for disciplinary action to include reference to violation of rules of the board; amending s. 458.307, F.S., relating to the Board of Medicine, deleting a provision relating to probable cause panels; amending s. 458.311, F.S., revising requirements for licensure of physicians by examination; revising an educational and postgraduate training requirement; allowing certain applicants to complete a specified fellowship to partially satisfy the licensing requirements, requiring applicants to provide sufficient information and fingerprints, revising a restriction on the number of times an applicant may fail the examination to include remediation after a certain number; authorizing persons in certain training programs to take the examination under certain circumstances; amending s. 458.313, F.S., revising requirements for licensure of physicians by endorsement; eliminating a provision authorizing oral examinations; providing for additional remedial education or training upon failure to pass the licensing examination after a certain number of attempts, correcting a cross reference; eliminating a provision authorizing licensure under a period of supervision; amending s. 458.3145, F.S.; authorizing issuance of medical faculty certificates for the Mayo Clinic; providing for annual review of all medical faculty recipients and report to the Board of Medicine; amending ss. 458.316 and 458.3165, F.S.; correcting cross references and terminology; amending s. 458.317, F.S., relating to limited licenses, eliminating the requirement that applicants for a limited license be retired from the practice of medicine; requiring the payment of fees if a person receives compensation for the practice of medicine; providing that an applicant need not provide a copy of the medical degree unless specifically required by the board; revising circumstances under which supervision is required; allowing limited licensees to work for certain agencies or institutions, correcting cross references; amending s. 458.319, F.S.; clarifying requirements for renewal of license to practice medicine, revising recent-practice requirements; amending s. 458.320, F.S.; requiring physicians not carrying medical malpractice insurance to post notice and provide a written statement thereof; amending s. 458.331, F.S., revising and providing grounds for disciplinary action; providing penalties; creating s. 458.3312, F.S., prohibiting physicians from falsely representing that they are board-certified specialists; amending s. 458.346, F.S.; providing for meetings of the Public Sector Physician Advisory Committee; amending s. 458.347, F.S., relating to physician assistants; allowing third-party payors to reimburse employers of physician assistants for covered services rendered by certified physician assistants, eliminating a continuing education requirement relating to the authority to prescribe certain medication, requiring a signed affidavit verifying completion of the required minimum continuing medical education for prescriptive privileges; eliminating the requirement for students in programs at community colleges to cover the full cost of such instruction, revising duties of the Agency for Health Care Administration, the Boards of Medicine and Osteopathic Medicine, and the Council on Physician Assistants with respect to certification and temporary certification of physician assistants, authorizing the boards to delegate powers and duties to the council; providing for

reactivation of inactive or delinquent status certificates; providing for allocation of certain fees to the council; amending s. 459.022, F.S., relating to physician assistants under supervision of osteopathic physicians, to conform, as applicable, amending s. 459.007, F.S.; clarifying requirements for licensure as an osteopathic physician by endorsement; amending s. 459.0075, F.S., relating to limited licenses; eliminating the requirement that applicants for a limited license be retired from the practice of osteopathic medicine; requiring the payment of fees if a person receives compensation for the practice of osteopathic medicine, revising circumstances under which supervision is required; allowing limited licensees to work for certain agencies or institutions; amending s. 459.011, F.S.; providing that it is state policy that physicians licensed under ch. 458, F.S., and osteopathic physicians licensed under ch. 459, F.S., be accorded equal professional status and privileges and providing requirements with respect thereto; prohibiting certain health-related entities from discriminating against a licensee on the basis of licensure under ch. 458, F.S., or ch. 459, F.S., amending s. 459.015, F.S., revising and providing grounds for disciplinary action; providing penalties; creating s. 459.0152, F.S.; prohibiting osteopathic physicians from falsely representing that they are board-certified specialists; amending s. 460.406, F.S., relating to licensure as a chiropractor by examination; resolving a conflict between different versions of certain provisions; authorizing certain applicants to take the examination, revising current and providing future educational requirements, repealing s. 460.4061, F.S., relating to restricted licenses; amending s. 460.408, F.S.; revising requirements relating to approval of courses for continuing chiropractic education; amending s. 460.413, F.S.; revising grounds for disciplinary action; increasing the administrative fine; providing penalties, providing criteria for determining the applicable penalty, providing certain evidentiary standards; providing authority and procedure to enjoin a chiropractor from providing medical services under certain circumstances, creating s. 460.4138, F.S.; authorizing subpoena of certain records deemed necessary and relevant to investigation of a complaint; creating s. 460.4166, F.S.; defining "registered chiropractic assistant"; providing duties, providing for registration; repealing s. 460.403(5), (6), (7), (8), and (9), F.S., relating to various definitions applicable solely to the peer review process; repealing s. 460.4104, F.S., relating to peer review of services and fees of licensees under chapter 460, F.S., relating to chiropractic, creating s. 461.0055, F.S.; providing for investigation of the qualifications of applicants for licensure as a podiatrist, amending s. 461.006, F.S., relating to licensure as a podiatrist by examination, increasing application and examination fees, delaying a change in clinical experience requirements, authorizing the licensure of certain applicants, creating s. 461.011, F.S.; prohibiting sexual misconduct in the practice of podiatric medicine, for which there are disciplinary actions, amending s. 461.012, F.S.; clarifying a prohibition against advertising podiatric services without an active license or with a license fraudulently obtained, providing penalties, amending s. 461.013, F.S.; revising and providing grounds for disciplinary action; increasing the administrative fine, providing penalties; creating s. 461.019, F.S., providing for a podiatric medical faculty certificate; providing for fees, amending s. 464.004, F.S., increasing the membership of the Board of Nursing, amending s. 464.008, F.S.; providing that applicants for licensure as a registered or licensed practical nurse are responsible for the fee required by the Department of Law Enforcement for background checks, revising the requirement for graduation from an approved program to include equivalent programs outside the state, amending s. 464.012, F.S.; requiring certification by an appropriate specialty board for initial state certification and recertification as a nurse anesthetist or nurse midwife, providing for provisional certification of graduate nurse anesthetists and nurse midwives, providing requirements for initial certification as an advanced nurse practitioner or a nurse anesthetist applicable to certain future graduates; amending s. 464.015, F.S.; revising the period during which the terms "Graduate Nurse" and "Graduate Practical Nurse" and their corresponding abbreviations may be used; amending s. 464.018, F.S.; revising disciplinary actions; increasing the administrative fine; providing penalties, creating s. 464.0205, F.S., providing for certification of retired volunteer nurses, providing requirements, qualifications, fees, and restrictions, amending s. 464.022, F.S., revising and providing exemptions from regulation under ch. 464, F.S., relating to nursing; providing for appointment of a task force to study nursing-department staffing in licensed facilities; requiring a report; amending s. 466.004, F.S., relating to the Board of Dentistry; revising provisions relating to meetings and duties of the Council on Dental Hygiene and the Council on Dental Assisting; amending s. 466.006, F.S., relating to the examination of dentists; revising prerequisites for certain applicants to take the examination, amending s. 466.007, F.S., relating to examination of dental hygienists, revising qualifications to take the examination; reducing

the number of academic years of postsecondary education required, creating s. 466.0075, F.S.; authorizing the Board of Dentistry by rule to require any applicant for the examination to practice dentistry or dental hygiene to carry certain medical malpractice insurance, amending s. 466.017, F.S.; eliminating obsolete provisions relating to the utilization of general anesthesia and parenteral conscious sedation by licensed dentists; amending s. 466.023, F.S., clarifying scope and area of practice of dental hygienists, amending s. 466.028, F.S.; revising and providing grounds for disciplinary action, increasing the administrative fine, providing penalties; amending s. 466.0282, F.S., revising provisions relating to practicing and advertising as a dental specialist; providing purpose and legislative findings and intent, amending s. 466.032, F.S.; providing for biennial registration of dental laboratories, eliminating certain required notice with respect to such registration, amending s. 467.003, F.S., revising the definition of "preceptor" to include advanced registered nurse practitioners; amending s. 467.009, F.S., revising and providing education and training requirements for midwifery programs, amending s. 467.0125, F.S., relating to licensure by endorsement; revising requirements for certificates and diplomas from foreign institutions of medicine or midwifery, amending s. 467.015, F.S.; clarifying responsibility of a midwife with respect to eye prophylactics for newborns; amending s. 467.017, F.S., clarifying language with respect to submission of copies of emergency care plans, amending s. 467.203, F.S., increasing the administrative fine, clarifying a penalty; amending s. 468.1115, F.S.; revising and providing exemptions from regulation as a speech-language pathologist or audiologist; amending s. 468.1145, F.S.; revising and providing fees and providing for disposition thereof, amending s. 468.1155, F.S., revising provisional licensure requirements, providing requirements for cross-discipline licensure, amending s. 468.1185, F.S.; revising licensure requirements; conforming a reference, amending s. 468.1195, F.S.; revising continuing education requirements; providing for adoption of standards of approval of continuing education activities and providers, creating s. 468.1201, F.S.; requiring instruction on human immunodeficiency virus and acquired immune deficiency syndrome as a condition of being granted a license or certificate to practice speech-language pathology or audiology; amending s. 468.1215, F.S.; revising requirements for certification as a speech-language pathology or audiology assistant, conforming a reference; amending s. 468.1245, F.S., revising language relating to certain complaints concerning hearing aids, amending s. 468.1295, F.S.; revising and providing grounds for disciplinary action; increasing the administrative fine, revising and providing penalties; creating s. 468.1296, F.S.; prohibiting sexual misconduct in the practice of speech-language pathology and audiology, for which there are penalties, amending s. 468.1695, F.S., reducing the number of times a year the examination for licensure as a nursing home administrator must be given; amending s. 468.203, F.S.; revising and deleting definitions applicable to regulation of occupational therapy, amending s. 468.205, F.S.; revising membership of the Occupational Therapy Council; revising provisions for the filling of vacancies; amending s. 468.209, F.S.; revising educational requirements for licensure as an occupational therapist or occupational therapy assistant; providing for licensure of certain applicants without meeting such educational requirements; providing for certain temporary permits; amending s. 468.211, F.S.; providing a restriction on the number of times an applicant may fail the examination and requiring remediation after a certain number; amending s. 468.213, F.S.; revising requirements for licensure by endorsement; amending s. 468.225, F.S.; providing exemptions from regulation of occupational therapy; amending ss. 468.351, 468.352, 468.354, 468.355, 468.356, 468.357, 468.358, 468.359, 468.36, 468.361, 468.363, 468.364, 468.365, 468.366, and 468.368, F.S., and repealing s. 468.362, F.S.; providing for licensure of respiratory care practitioners and respiratory therapists; eliminating references to certification and registration, revising terminology; revising approval of educational programs; eliminating annual continuing education requirements for certain persons; increasing fees, increasing the administrative fine; providing penalties; amending s. 478.42, F.S.; revising the definition of "electrolysis or electrology"; amending s. 478.45, F.S., revising requirements for licensure as an electrologist; providing for the conduct of the electrology licensure examinations; eliminating a provision authorizing the use of other examinations under certain circumstances; amending s. 478.46, F.S., relating to temporary permits; correcting a cross reference; amending s. 478.47, F.S.; revising requirements for licensure by endorsement; amending s. 478.52, F.S., revising and providing grounds for disciplinary action, providing penalties, amending s. 478.53, F.S.; applying a penalty to labeling or referring to hair-removing processes as electrolysis under certain circumstances; amending s. 478.55, F.S.; increasing fees applicable to the practice of electrolysis; amending s. 483.041, F.S.; including licensed optometrists within the definition of

"licensed practitioner" for purposes of laws regulating clinical laboratories; amending s. 483.813, F.S., extending the period of a temporary license for clinical laboratory personnel; amending s. 483.825, F.S.; revising and providing grounds for disciplinary action; amending s. 483.827, F.S.; revising and providing administrative penalties, amending s. 486.023, F.S.; increasing the membership of the Board of Physical Therapy Practice; amending ss. 486.031 and 486.081, F.S., providing an alternative licensure examination; revising accreditation provisions relating to licensure as a physical therapist, amending ss. 486.102 and 486.107, F.S.; providing an alternative licensure examination, revising accreditation provisions relating to licensure as a physical therapist assistant, creating s. 486.123, F.S., prohibiting sexual misconduct in the practice of physical therapy, for which there are disciplinary actions; amending s. 486.125, F.S.; increasing the administrative fine; providing a penalty, amending s. 491.003, F.S., revising and providing definitions applicable to regulation of clinical, counseling, and psychotherapy services; creating s. 491.0045, F.S.; requiring registration of interns and providing requirements thereof, creating s. 491.0046, F.S., providing for provisional licensure; amending s. 491.005, F.S.; revising clinical experience requirements for licensure by examination, for which there are penalties, amending s. 491.009, F.S.; revising and providing grounds for disciplinary action, increasing the administrative fine, amending s. 491.012, F.S.; prohibiting the use of certain titles under certain circumstances; providing penalties; repealing ss. 490.014(5) and 491.014(7), F.S., relating to an obsolete licensing exemption that required registration of certain trainees or interns; creating s. 491.0142, F.S.; providing requirements for a regulatory exemption applicable to students; creating s. 491.0144, F.S.; providing conditions for provision of services by non-residents; amending s. 491.0149, F.S.; requiring display of registrations and provisional licenses and use of applicable professional titles on promotional materials, amending s. 766.1115, F.S., expanding the definition of "health care provider" under the Access to Health Care Act, establishing a work group to analyze and submit recommendations to the Legislature regarding community mental health care services and requirements for professionals, amending s. 831.30, F.S., relating to obtaining medicinal drugs fraudulently, revising a cross-reference and making other technical changes; reenacting ss. 320.0848(7), 400.518(3)(b), 458.310(2), 458.3145(1), 458.315(4), 458.320(6), 458.345(1)(b) and (c) and (2), 459.0085(6), 461.006(2)(c), 464.008(2), 464.009(3), 466.011, 467.002, 467.006(1), 467.205(1), (3), and (4), 468.1185(2)(a), 468.1215(4), 468.505(1), 482.2267(9), 491.006(2), 766.111(2), and 768.28(9)(b), F.S., relating to parking permits for the disabled, prohibited referrals to home health agencies, restricted medical licenses, medical faculty certificates, temporary certificates for practice in areas of critical need, physician and osteopathic physician financial responsibility, registration of resident physicians, interns, and fellows, podiatry licensure, nursing licensure, dental licensure, midwifery licensure and approval of midwifery programs, licensure of speech-language pathologists and audiologists and certification of assistants, exemption from regulation as a dietician or nutritionist, registry of persons requiring prior notification of the application of pesticides, licensure of psychotherapists, unnecessary diagnostic testing, and waiver of sovereign immunity, to incorporate the amendments to ss. 458.311, 458.331, 459.015, 460.413, 461.013, 464.012, 464.018, 464.022, 466.007, 466.028, 467.009, 468.1155, 491.003, 491.009, and 766.1115, F.S., in references thereto; amending s. 483.181, F.S., establishing procedures for clinical laboratory specimens, providing effective dates

By the Committee on Health and Rehabilitative Services; and Senator Bankhead—

CS for SB 2850—A bill to be entitled An act relating to parenthood; providing for a Commission on Responsible Fatherhood in the Department of Health and Rehabilitative Services; creating s. 383.0112, F.S.; providing for purpose, guiding principles, and responsibilities of the commission; providing for a report; creating s. 383.0113, F.S.; creating the commission, providing for membership; providing for travel expenses and per diem and reimbursement of members; prescribing powers and duties of the commission, providing for removal of commission members, providing for development of a budget request; providing an effective date.

By the Committee on Transportation and Senator Beard—

CS for SB 2952—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.075, F.S.; clarifying language with respect to the prohibition against right turns at certain stop lights; amending s. 316.193, F.S.; providing that certain testimony and evidence in an administrative proceeding is inadmissible in a criminal proceeding with respect to driving under the influence; amending s. 316.2074, F.S., clarifying the use of all-terrain vehicles on public beaches; amending s. 316.212, F.S., providing requirements for the designation of a city or county road for use by golf carts; amending s. 316.2125, F.S.; conforming to the act, amending s. 318.15, F.S.; clarifying provisions relating to failure to comply with certain civil penalties; conforming a cross-reference; amending s. 319.14, F.S.; providing definitions; providing reference to automobiles assembled from parts, combined automobiles, kit cars, replicas, and glider kits with respect to the requirement that the certificate of title indicate the nature of the motor vehicle titled; amending s. 319.21, F.S.; requiring a manufacturer's statement of origin for each stage of motor vehicle construction when the vehicle is built in two or more stages; amending s. 319.225, F.S.; conforming a cross-reference; amending s. 319.23, F.S., revising provisions relating to certificate of title; amending s. 319.24, F.S.; providing for electronic transmission of liens; amending s. 319.28, F.S., providing that in the case of repossession, a mobile home is exempt from registration when the dwelling is not transferred or titled for occupancy; amending s. 320.01, F.S., revising definitions; amending s. 320.031, F.S.; making the charging of a mail service charge optional; amending s. 320.05, F.S., including reference to vessels along with motor vehicles with respect to lists and searches; providing for electronic digitizing of records; amending s. 320.055, F.S.; revising registration periods; amending s. 320.06, F.S.; providing for the issuance of cab cards along with annual license plates for vehicles with an apportioned registration; amending s. 320.061, F.S.; providing that it is unlawful to alter a motor vehicle registration certificate; amending s. 320.065, F.S.; deleting obsolete provisions relating to the registration of certain rental trailers for hire; amending s. 320.0657, F.S., authorizing owners or lessees of a specified number of commercial motor vehicles to obtain registration by electronic submission; conforming cross-references; creating s. 320.0659, F.S.; providing for the permanent registration of trailers for hire and semitrailers; amending s. 320.0706, F.S., correcting weight references with respect to the display of license plates on trucks; amending s. 320.072, F.S.; clarifying provisions regarding a fee imposed on certain motor vehicle registration transactions with respect to immediate family; amending s. 320.08, F.S., revising provisions relating to license taxes; amending s. 320.0815, F.S.; conforming cross-references; repealing s. 320.13(4), F.S., relating to certain dealer license plates; amending s. 320.131, F.S.; providing for temporary tags for use by licensed dealers; amending s. 320.18, F.S., exempting repossessed mobile homes from registration under certain circumstances; amending s. 320.27, F.S.; authorizing retail sale of recreational vehicles, providing penalties for failure to honor a bank draft to a motor vehicle dealer; requiring verification of attendance at a licensed motor vehicle dealer training school, providing an exemption; requiring the department to establish curriculum and length of training; authorizing a fee, authorizing a pilot program; amending s. 320.771, F.S.; authorizing retail sale of motor vehicles under specified circumstances; amending s. 322.051, F.S., providing for identification card applications in a format designated by the department; amending s. 322.08, F.S.; providing for driver's license applications in a format designated by the department; amending s. 322.13, F.S., amending provisions relating to the department's authority to designate instructors of driver's education courses in public or private secondary schools as driver's license examiners; creating s. 322.131, F.S., authorizing the department to contract with tax collectors for specified driver's license services; amending s. 322.56, F.S.; amending provisions relating to contracts for administering the written and driving skills portions of the examination; amending s. 322.245, F.S., providing for the effective date of certain driver's license suspensions; amending s. 322.28, F.S.; providing for the effective date of suspensions or revocations; amending s. 327.03, F.S.; clarifying the duties of the department concerning the administration of vessel registration and titling laws; amending s. 327.04, F.S.; providing for rules; amending s. 327.10, F.S.; revising provisions relating to the operation of registered vessels; providing for required information on the bill of sale; amending s. 327.11, F.S.; providing for required information on the application for vessel registration; revising requirements with respect to the required decal on a vessel; amending s. 327.15, F.S.; revising provisions relating to vessel registration numbers; amending s. 327.16, F.S., revising provisions relating to reciprocity of nonresident or alien vessels; amending s. 327.17, F.S.; revising

provisions relating to registration of vessels by military personnel; amending s. 327.23, F.S.; deleting reference to the date of expiration of certain temporary registrations; amending s. 327.73, F.S., providing for additional noncriminal infractions; amending s. 328.01, F.S.; providing for certain information to accompany the application for title; directing the department to retain the evidence of title which is presented by the applicant and upon which the title is issued; requiring notice of certain liens; amending provisions relating to civil liability by certain owners; amending s. 328.03, F.S.; amending provisions relating to certificates of title; amending s. 328.11, F.S., providing for lost titles; directing the department to implement a system to verify that the title application is signed by an authorized person; amending s. 328.13, F.S.; requiring the statement of origin be in English or accompanied by an English translation; amending s. 328.15, F.S.; providing for the date of the filing of a notice of a lien on a vessel; providing who may place a lien on a vessel; creating s. 328.16, F.S.; providing for the issuance of duplicate certificates of title; providing for delivery, liens, and encumbrances; creating s. 328.21, F.S.; providing for transfer without delivery of a certificate of title; providing for violations, providing penalties; amending s. 901.15, F.S.; providing for arrests by law enforcement officers without a warrant for violations of chapter 316, F.S., under certain circumstances; providing effective dates.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 1324, SB 1328, SB 1330, SB 1332, SB 1334, SB 1336, SB 1338, SB 1340, SB 1342, SB 1344, SB 1346, SB 1348, SB 1350, SB 1352, SB 1354, SB 1356, SB 1358, SB 1360, SB 1362, SB 1364, SB 1366, SB 1368, SB 1370, SB 1372, SB 1374, SB 1376, SB 1378, SB 1380, SB 1382, SB 1384, SB 1386, SB 1388, SB 1390, SB 1392, SB 1394, SB 1396, SB 1398, SB 1400, SB 1402, SB 1406, SB 1408, SB 1412, SB 1414, SB 1416, SB 1418, SB 1420, SB 1422, SB 1424, SB 1426, SB 1428, SB 1430, SB 1432, SB 1434, SB 1436, SB 1438 and SB 1440 which became law without his signature on April 5, 1996.

The Governor advised that he had filed with the Secretary of State SB 1442, SB 1444, SB 1446, SB 1448, SB 1450, SB 1452, SB 1454, SB 1456, SB 1458, SB 1460, SB 1462, SB 1464, SB 1466, SB 1468, SB 1470, SB 1472, SB 1474, SB 1476, SB 1478, SB 1480, SB 1482, SB 1484, SB 1486, SB 1488, SB 1490, SB 1492, SB 1494, SB 1496, SB 1498, SB 1500, SB 1502, SB 1504, SB 1506, SB 1508, SB 1510, SB 1512, SB 1514, SB 1518, SB 1520, SB 1522, SB 1524, SB 1526, SB 1528, SB 1530, SB 1532, SB 1534, SB 1536 and SB 1538 which became law without his signature on April 9, 1996.

The Governor advised that he had filed with the Secretary of State SB 1542, SB 1544, SB 1546, SB 1548, SB 1550, SB 1552, SB 1554, SB 1556, SB 1558, SB 1560, SB 1562, SB 1564, SB 1566, SB 1568, SB 1570, SB 1572, SB 1574, SB 1576, SB 1578, SB 1580, SB 1582, SB 1584, SB 1586, SB 1588, SB 1590, SB 1592, SB 1594, SB 1602, SB 1614, SB 1622, SB 1624, SB 1744, SB 1746, SB 1748 and SB 1750 which became law without his signature on April 10, 1996.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable James A. Scott, President

I am directed to inform the Senate that the House of Representatives has passed HB 27, CS for HB 101, CS for HB 109, CS for HB 187, HB 197, CS for HB 317, HB 619, HB 781, HB 787, HB 1103, HB 1427, HB 1797, HB 2313, HB 2667; has passed as amended HB 49, HB 73, CS for HB 149, CS for HB 155, CS for HB 303, CS for HB 315, HB 469, CS for HB 487, HB 1075, HB 1237, HB 1267, HB 1791, HB 1793, HB 1819, HB 2263, HB 2299; has passed as amended by the required Constitutional three-fifths vote of the membership HJR 121 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Roberts-Burke and others—

HB 27—A bill to be entitled An act relating to road designations; designating a portion of State Road 112 in Dade County as the Dewey Knight, Jr., Memorial Highway; providing an effective date

—was referred to the Committee on Transportation.

By the Committee on Ethics and Elections; and Representative Upchurch—

CS for HB 101—A bill to be entitled An act relating to constitutional amendments proposed by initiative; amending s. 99.097, F.S., relating to verification of signatures on petitions; clarifying petition requirements with respect to addresses and paid petition circulators, amending s. 100.371, F.S.; revising provisions relating to initiative amendments; requiring each initiative amendment to be on a petition form prescribed by the Division of Elections and separate from any other such amendment; requiring the sponsor of a proposed initiative amendment to give the division notice of the use of paid petition circulators, requiring the sponsor of a proposed initiative amendment to provide the names and addresses of its paid petition circulators to the division; requiring paid petition circulators to place their names and addresses on each petition form gathered and requiring the sponsor of the proposed initiative amendment to ensure that such information has been provided prior to submission of the forms to the supervisors for verification; prohibiting the sponsor of a proposed initiative amendment who pays to have signatures collected from filing an oath of undue burden in lieu of paying the fee required to have signatures verified; providing a signature verification period; amending s. 104.185, F.S.; clarifying a prohibition against signing a petition more than once; prohibiting the signing of another person's name or a fictitious name on any petition for a candidate, a minor political party, or an issue; providing penalties; amending s. 106.19, F.S.; prohibiting the sponsor of a proposed initiative amendment from submitting petitions by a paid petition circulator without the name and address of the circulator on the petition form; providing penalties; providing applicability to petitions already initiated; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; Governmental Reform and Oversight; and Ways and Means.

By the Committee on Insurance and Representative Ziebarth and others—

CS for HB 109—A bill to be entitled An act relating to medical malpractice insurance contracts, amending s. 627.4147, F.S.; revising certain clause requirements relating to rights of insurers or self-insurers to veto certain offers; prohibiting insurers or self-insurers from making or concluding certain offers; providing for written statements from insureds for certain purposes; providing an effective date

—was referred to the Committees on Banking and Insurance; and Ways and Means.

By the Committee on Transportation and Representative Livingston and others—

CS for HB 187—A bill to be entitled An act relating to driver licenses, amending s. 322.03, F.S.; prohibiting the use of Florida-only driver licenses as proof of Florida residency and as identification for voter registration purposes, amending s. 322.08, F.S.; revising proof of identity with respect to the application for a driver license, amending s. 322.09, F.S., revising proof of identity with respect to application of minors for a driver license, providing an effective date.

—was referred to the Committees on Transportation; and Executive Business, Ethics and Elections

By Representative Tobin—

HB 197—A bill to be entitled An act relating to ambulance service plans; amending s. 636.007, F.S.; deleting a requirement that certain ambulance service plans must be prepaid in order for certain political subdivisions to be exempt from certificate of authority provisions and insurance code provisions; providing an effective date

—was referred to the Committees on Banking and Insurance; and Community Affairs

By the Committee on Judiciary and Representative Morse and others—

CS for HB 317—A bill to be entitled An act relating to child custody, amending s. 61.13, F.S.; providing for consideration of domestic violence or child abuse in custody proceedings; providing for a rebuttable presumption of detriment to the child when the parent has been convicted of a third degree felony or higher; reenacting ss. 39.408(3)(a) and 741.30(5)(a), F.S., relating to disposition hearings in dependency cases, and relating to temporary injunctions in domestic violence cases, to incorporate said amendment in references; providing an effective date

—was referred to the Committee on Judiciary

By Representative Dawson-White—

HB 619—A bill to be entitled An act relating to mobile home manufacturers; amending s. 320.8225, F.S.; providing that mobile home manufacturers shall be required to post only one surety bond, cash bond, or letter of credit, regardless of the number of factory locations, as a condition of licensure, providing an effective date.

—was referred to the Committees on Transportation; and Ways and Means.

By Representative Crist and others—

HB 781—A bill to be entitled An act relating to offenses related to public roads, repealing s. 861.07, F.S.; relating to criminal penalties for the obstruction of wagon roads by the felling of trees; repealing s. 861.08, F.S., relating to criminal penalties for the obstruction of county and settlement roads; providing an effective date.

—was referred to the Committee on Transportation

By the Committee on Transportation and Representative Smith and others—

HB 787—A bill to be entitled An act relating to transportation; creating s. 337.025, F.S., authorizing the Department of Transportation to establish a program for highway projects demonstrating innovative techniques of highway construction and finance; providing criteria, providing limitations; amending s. 337.11, F.S., providing for bids to the lowest evaluated responsible bidder with respect to time plus money contracts, providing for the combination of the design and construction phases of contracts; providing a limitation on certain projects; authorizing the department to have unilateral authority to pay contractors for work performed on a project; providing for the effect of such unilateral authority; providing an effective date

—was referred to the Committees on Transportation, Governmental Reform and Oversight; and Ways and Means.

By Representative Minton—

HB 1103—A bill to be entitled An act relating to public accountancy, repealing s 473 3145, F.S., relating to certificates of special competence and the Specialization Advisory Committee, amending ss 473 322 and 473.323, F.S., to conform, providing an effective date

—was referred to the Committee on Governmental Reform and Oversight.

By Representative Smith—

HB 1427—A bill to be entitled An act relating to public transit; repealing ss 341 401-341.422, F.S.; eliminating the Magnetic Levitation Demonstration Project Act, amending s 341 3334, F.S.; correcting a cross reference; amending s 341 501, F.S.; correcting a cross reference, repealing s 343 68, F.S., conforming to the act; providing an effective date

—was referred to the Committees on Transportation; and Ways and Means

By the Committee on Appropriations and Representative Ritchie—

HB 1797—A bill to be entitled An act relating to trust funds, amending s 215 3208, F.S.; providing the schedule for review and re-creation or termination of trust funds for the years 1997-2000; providing an effective date

—was referred to the Committee on Ways and Means

By Representative Barreiro—

HB 2313—A bill to be entitled An act relating to road designations, designating a portion of State Road 913 in the City of Miami as "Pioneers Road"; directing the Department of Transportation to erect suitable markers, providing an effective date

—was referred to the Committee on Transportation.

By the Committee on Rules and Calendar; and Representative Mackenzie and others—

HB 2667—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss 14 22(3)(b), 14.28, 17 0401, 17 076(5), 20 055(5)(b), 20.17(3)(f), (5)(e), 24 108(7)(b), 24.118(4), 27 37(4)(a), (6)(a), (8), 30 49(3), 39.039(1)(b), 39.058(4)(f), (l), 39 0582(4)(f), (l), 39 411(4), 39.471(4), 44 102(3), 44.201(5), 61 183(3), 61.402, 63.022(2)(j), 97 0585, 101 62(3), 106.25(6), 110 1091, 110.1127(3)(d), as amended by section 33 of chapter 95-228, Laws of Florida, 110 1127(3)(g), as amended by section 1398 of chapter 95-147, Laws of Florida; section 10 of chapter 95-158, Laws of Florida; and section 120 of chapter 95-418, Laws of Florida, 110 123(9), 110 201(4), 112 0455(8)(l), (u), (11)(f), 112 08(7), (8), 112 21(1), 112.215(7), 112 3188(2)(a), (b), as amended by section 2 of chapter 95-153, Laws of Florida, and section 1 of chapter 95-166, Laws of Florida, 112 3188(1), (2)(a), as amended by section 1 of chapter 95-136, Laws of Florida, 112 3215(7), 112 533(2), 119 011(3)(c), 119 07(3)(i), (4), 121 031(5), 125 0104(9)(d), 125 355(1)(a), 163 01(15)(m), 166 045(1)(a), 166 231(9)(e), 192 105(1), 193.074, 195 027(3), (6), 195.084(1), 195 096(2)(e), as amended by section 5 of chapter 95-272, Laws of Florida, 195.096(2)(e), effective July 1, 1997, as amended by section 19 of chapter 95-272, Laws of Florida, 196 101(4)(c), 199.222, 201.022(1), 206 27(2), 211 125(10), 211 33(5), 212.0305(3)(d), 213 053(2), (6), (7), (9)(c), (14)(c), (15), as amended by section 10 of chapter 95-272, Laws of Florida, 213 053(15), effective July 1, 1997, as amended by section 24 of chapter 95-272, Laws of Florida, 213.0535(5), 213 21(3)(a), 213 22(2), 213 27(7), 213 28(6), 215.322(5), 215.557, 220 242, 228.093(3)(c), (d), 228 502(12)(c), 229 551(3)(i), 229 8021(4), 230.23(4)(m), 230 2316(9), 231 17(2)(h), 231.1715, 231 262(4), 231 263(9), (11), 231.291(3)(a), 232 23(1), 232.2468(3), 232 248, 233 068(5)(b), 235 054(1)(a), 237 40(4), 239 505(11), 240 209(2), 240 213(4), 240 237, 240 241(2), 240 253(3), 240 299(4), 240 323, 240.331(3), 240.3315(3), 240 334(2), 240.337,

240 512(8)(b), (9), 240 551(5)(j), (6)(f), 242.335(4), as amended by section 1 of chapter 95-137, Laws of Florida, and section 34 of chapter 95-228, Laws of Florida, 242.335(4), as amended by section 1 of chapter 95-137, Laws of Florida; section 836 of chapter 95-148, Laws of Florida; section 13 of chapter 95-152, Laws of Florida; section 11 of chapter 95-158, Laws of Florida; and section 122 of chapter 95-418, Laws of Florida, 246 226(2), (3), 252 355(3), 252 88(1), (2), (3), 253 025(6)(d), (7)(d), 255 047(2), 255 25001(2)(b), 257 261, 257 35(1)(b), 258 015(3), 259.041(7)(e), (8)(c), 265.26(7)(b), 265.289(2), 265.605(2)(c), 266 0008(8), 266 0018(8), 266 0028(8), 266 0038(8), 266.0048(8), 266.0058(8), 266 0068(8), 267.16(4), 267.17(3), 279 11(1), 280 16(5), 281 301, 282 318(3)(a), 284 40(2), 287 0595(3), 288.047(6)(f), (9), 288.075(2), 288.1065, 288 1168(5), 288 121(7)(a), 288.1224(12)(a), 288 1226(5), 288.712(7), 288 776(4)(e), 288 809(4), 288.815(9)(a), 288 906(2)(b), 288 951(7)(4), 288 9520, 288 9607(5), 288.9616(4), 296.09(1), 310.102(3)(e), (5)(a), 320 025(1), (2), 320 05(1), 322.125(3)(b), (4), 322.126(3), 322.142(4), 322 20(3), (8), 331 326, 334 049(4), 337 14(1), 337 162(1), (2), (3), 339 0805(1)(c), 341 3333(2), 341.4065, 365 171(15), 370 07(6)(a), 372.0215(3), 373.139(3), 377.22(2)(h), 377 2408(3), 377.2409, 377 2421(2), 377.2424(3), 377.606, 377 701(4), 378.101(3)(b), 378 208(6), 378 406(1), 381.0031(4), 381.004(3)(d), (f), (g), (i), (4)(c), (5)(f), (6)(b), 381 0041(9), (11)(a), 381.83, 382 008(6), 382 014(1), (2), 382 015(5), 382 025(1), (2), (4), (8), (10), 382 027(1), 383 14(3)(d), 383 32(3), 383 325(2), 384 26(2), 384.282(3), 384 29(1), (2), 384 30(2), 385 202(3), 390.002(3), 392 54(2), 392 545(3), 392.65(1), (2), 393 0655(6), as amended by section 1047 of chapter 95-148, Laws of Florida; section 14 of chapter 95-152, Laws of Florida, section 12 of chapter 95-158, Laws of Florida; and section 123 of chapter 95-418, Laws of Florida, 393 067(5)(c), 393 13(4)(j), 394 457(6)(k), as amended by section 15 of chapter 95-152, Laws of Florida, and section 124 of chapter 95-418, Laws of Florida, 394.459(9), 394 907(7), 395.0162(2), 395.0193(4), (6), 395.1046(3), 395.3025(2), (4)(i), (7), (8), (9), 395 4025(12), 395 404(3), 397 419(7), 397 451(10), as amended by section 16 of chapter 95-152, Laws of Florida; section 13 of chapter 95-158, Laws of Florida; section 2 of chapter 95-407, Laws of Florida; and section 126 of chapter 95-418, Laws of Florida, 397.501(7), 399 02(5)(c), 400.0077(1), (2), 400.022(1)(m), 400 0255(8), 400.145, 400.494, 400 512(7), as amended by section 1 of chapter 95-201, Laws of Florida, and section 40 of chapter 95-228, Laws of Florida, 400 512(10), as amended by section 1057 of chapter 95-148, Laws of Florida; section 17 of chapter 95-152, Laws of Florida; section 14 of chapter 95-158, Laws of Florida; section 1 of chapter 95-201, Laws of Florida; and section 128 of chapter 95-418, Laws of Florida, 400 611(3)(c), 401 30(2), (3), 401 414(3), 401 425(5), 402.22(3), 403 111(1), 403 7046(2), (3)(b), 403 7197(9), 403 7199(5), 403.73, 405 02, 405 03, 406.075(3)(a), 408.061(1)(d), (8), (9), 408 704(7), 408 7056(4), 409 175(11)(b), (c), (d), as amended by section 42 of chapter 95-228, Laws of Florida, 409 175(11)(b), (c), (d), as amended by section 19 of chapter 95-152, Laws of Florida, section 16 of chapter 95-158, Laws of Florida, and section 132 of chapter 95-418, Laws of Florida, 409 176(12), 409 2561(5)(e), 409 2577, 409.355(1), (2)(a), 409 441(5), 409 910(18)(c), (22)(a), 409 913(7), 410.037, 410 605, 413.011(1)(b), 413.341, 415 107(1), 415 1075(2)(f), 415.50175(2), 415 503(8), 415.504(4)(d), (e), as amended by section 9 of chapter 95-266, Laws of Florida, section 51 of chapter 95-267, Laws of Florida, and section 133 of chapter 95-418, Laws of Florida, 415 505(1)(h), 415 5055(3), 415 5086(4), 415 51(1), (2), (3), (4), (5), 415 513(2), 415.608(2), 427.705(6), 430 207, 430.504, 430 608, 435.09, 435.11(1)(b), 440.125(1), 440.132(1), 440.39(7), 440.515, 442 112(2)(b), 442.118(1), (5), 442 21(1), 443 171(7), as amended by section 5 of chapter 93-414, Laws of Florida, and section 77 of chapter 94-136, Laws of Florida, 443 1715(1), (3)(b), 446 52, as amended by section 8 of chapter 95-394, Laws of Florida, 446 52, as amended by section 91 of chapter 95-418, Laws of Florida, 447 045, 447 205(10), 447 307(2), 447.409, 447 605(1), (3), 455.217(2), (4), 455 2173(4), 455 225(2), (4), (10), 455 229(1), (2), as amended by section 87 of chapter 94-218, Laws of Florida, 455 229(1), as amended by section 13 of chapter 94-119, Laws of Florida, 455.241(2), (3), 455.247(2)(d), 455.261(3)(e), (5)(a), 458.337(3), 458 339(3), 458 341, 459.016(3), 459 017(3), 459.018, 460.4104(6), (7), 466 022(3), 466 0275(2), 466 041(3), 474.2185(3), 487 031(5), 487.041(7), 487 0615(2)(c), 487 160, 493.6121(5), (8), 493 6122, 494 0021, 497 131(4), (10), 499 018(1), 499.051(5), 501.075(7), 501 2065, 502 222, 517 12(14), 526 311(2), 527 02(2)(c), 527.062(1), 542 28(9), 550 0251(9), 550 2415(1)(a), 560.129(9), (12), 561 19(2)(b), 561 67(1), 570 48(3), 570 544(8), 570.903(6), 573 123(2), 581.199, 589.08(3)(d), 601.10(8), 601 15(7)(d), 601 152(8)(c), 601 57(6), 601 76, 607 0505(6), 617.0503(6), 620 192(7), 624.310(3), 624 311(2), 624.319(3), 624 82(1), 624.86, 624 91(7), 625 121(3)(a), 626.511(3), 626.521(5), 626 601(6), 626.631(2), 626 842(3), 626 8433(3), 626 884(2), 626 921, 626 989(5)(f), 627 351(4)(g), (6)(n), 627 6699(8)(c), 627 736(9)(a), 627.912(2)(e),

627.9122(2)(e), 627.9126(3)(a), 631.398(1), 631.62(2), (3), 631.723(1), (3), 631.724, 631.997(1), 631.998(1), 633.111, 633.175(5), 634.045(5), 634.201(3), 634.348, 634.4065(5), 634.444, 641.515(2), 641.55(5)(c), (6), (8), 648.26(3), 648.266, 648.34(3), 648.37(3), 648.39(1), 648.41, 648.46(3), 651.105(3), 651.134, 655.0321, 655.033(6), 655.057, 655.50(7), 663.02(1), 723.006(3), 742.16(9), 760.11(12), 760.34(1), 760.36, 760.40(2)(a), 760.50(5), 766.101(7)(c), 766.105(3)(e), 766.106(7)(c), 766.1115(4)(c), 766.314(8), 766.315(5)(b), 768.28(15)(b), (c), (d), 790.065(4)(a), 794.03, 815.04(3)(a), 877.19(3), 896.102(2), 905.17(1), 905.28(1), 916.107(8), 922.10, 925.055(2), 937.028(1), 943.03(2), 943.054(4), 943.057, 943.0585(4), 943.059(4), 943.1395(6)(b), 943.173(3), 943.325(5), 945.10(1), (2), (3), 945.6032(3), 946.517, 951.27(2), 953.15(1)(a), 960.003(3)(a), 960.15, and 960.28(4), Florida Statutes, and repealing ss 24.105(13)(d), 27.151(4), 63.162(2), 193.114(6)(b), 215.44(8)(c), 325.207(12)(b), (13)(e), 337.168(2), 364.183(5), 367.156(5), 368.108(5), 381.0055(4), 395.0197(17), 395.3035(7), 395.51(4), 402.165(8)(e), 402.166(8)(e), 408.001(4)(c), 409.2579(4), 413.012(4), 413.615(7)(c), 440.102(8)(e), 442.109(5), 442.111(9), 494.00125(1)(f), 517.2015(1)(f), 520.9965(1)(f), 570.953(2), and 636.064(4), Florida Statutes; deleting statutory references to s 119.14, Florida Statutes, the Open Government Sunset Review Act, to conform to the repeal of the act by s. 1, ch 95-217, Laws of Florida

—was referred to the Committee on Rules and Calendar

By Representative K. Pruitt and others—

HB 49—A bill to be entitled An act relating to controlled substance schedules, amending s 893.03, F.S., excepting levo-alpha-cetylmethadol from classification under Schedule I and reclassifying it under Schedule II, amending s. 893.13, F.S.; providing that specified unauthorized activities involving flunitrazepam shall be subject to the same penalties provided therein for violations involving controlled substances under s. 893.03(1)(a), Florida Statutes, relating to certain Schedule I controlled substances; providing effective dates

—was referred to the Committees on Criminal Justice, and Ways and Means

By Representative Crow—

HB 73—A bill to be entitled An act relating to public assistance payments; amending s 409.345, F.S.; revising provisions relating to discharge of debt, providing an effective date

—was referred to the Committees on Health and Rehabilitative Services, Judiciary; and Ways and Means

By the Committee on Educational Facilities, Select; and Representative Peeples and others—

CS for HB 149—A bill to be entitled An act relating to educational facilities, creating ss 235.701, 235.702, and 235.703, F.S.; creating the "Public Educational Facilities Cost Accountability Act"; requiring district school boards to submit information comparing project costs to cost standards for facility construction; requiring the Department of Education to determine average costs for school construction based on region and grade level, requiring presentation at a public meeting of certain excess costs; requiring reports to the Legislature, providing for life-cycle cost standards, amending s. 235.04, F.S. providing for disposal of real property, amending s. 235.055, F.S., authorizing school boards to use operational funds or other local sources to construct facilities on a leased site; amending s 235.056, F.S.; providing for lease or lease-purchase contracts for educational facilities and sites; amending s. 235.15, F.S.; removing the requirement that the Division of Applied Technology and Adult Education provide documentation of a need for additional career and adult education programs, amending s. 235.26, F.S.; providing a review procedure for disputes between an inspector and an architect or engineer of record on an educational facility project, amending s 235.31, F.S.; eliminating review by the Department of Education of certain contracts awarded on an emergency basis; amending s. 235.32; revising

provisions concerning construction contracts; providing an effective date.

—was referred to the Committees on Education; Higher Education; and Ways and Means.

By the Committee on Community Affairs and Representative Meek and others—

CS for HB 155—A bill to be entitled An act relating to emergency management; creating part III of chapter 252, F.S.; creating the "Emergency Management Assistance Compact", providing for legislative purpose and authorities; providing for general implementation; providing for party state responsibilities; providing limitations; providing requirements with respect to licenses and permits; providing for liability; providing for compensation; providing for reimbursement, providing for evacuation, providing for implementation; providing for validity and application; amending s. 250.544, F.S., revising language with respect to limitations, providing an effective date

—was referred to the Committees on Community Affairs, Governmental Reform and Oversight, and Ways and Means.

By the Committee on Business and Professional Regulation; and Representative Livingston and others—

CS for HB 303—A bill to be entitled An act relating to disposition of dead bodies; amending ss. 245.06, 245.07, 245.08, 245.09, 245.10, 245.11, 245.12, 245.13, 245.14, and 245.16, F.S., providing for administration of the disposition of certain dead bodies by a specified anatomical board; providing for disposition, providing procedures, revising certain notice provisions; providing an exemption from liability for cremation under certain circumstances; providing additional exceptions to notice of death requirements, requiring notice and approval for moving bodies or parts of bodies into or out of the state for certain purposes; providing an effective date.

—was referred to the Committees on Higher Education; Banking and Insurance, and Ways and Means

By the Committee on Business and Professional Regulation, and Representative Livingston and others—

CS for HB 315—A bill to be entitled An act relating to contracting; amending ss 489.127 and 489.531, F.S.; providing for similar penalties for unlicensed violations with respect to construction contracting and electrical and alarm system contracting; providing for additional penalties for certain violations; amending s. 489.503, F.S., providing additional exemptions with respect to electrical and alarm system contracting; amending s. 489.537, F.S.; revising language with respect to the application of provisions relating to electrical and alarm system contracting, providing an effective date

—was referred to the Committees on Governmental Reform and Oversight, Criminal Justice; and Ways and Means

By Representative Constantine and others—

HB 469—A bill to be entitled An act relating to community redevelopment, amending s 163.380, F.S., which provides requirements for disposal of property in a community redevelopment area, providing that certain required notification does not apply when the governing body is acting as the community redevelopment agency, providing that the governing body shall prescribe procedures for disposal of real property when the community redevelopment area is established to redevelop a closed military base; providing an effective date.

—was referred to the Committees on Community Affairs; and Commerce and Economic Opportunities.

By the Committee on Transportation and Representative Hill—

CS for HB 487—A bill to be entitled An act relating to road designations; redesignating New Kings Road in the City of Jacksonville as "Arnolta J. Williams Road"; designating U.S. Highway 19 from Pasco County and Hernando County line north to the northern city limits of Perry, Florida, as the "Nature Coast Trail"; providing for the erection of markers; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Safley—

HB 1075—A bill to be entitled An act relating to regulation of trade and commerce; repealing ss. 559.04 and 559.05, F.S., relating to distribution of trading stamps and notice of intention to suspend or cease redemption of stamps, providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; and Ways and Means.

By the Committee on Insurance and Representative Cosgrove and others—

HB 1237—A bill to be entitled An act relating to health insurance; amending s. 627.647, F.S., providing criteria for use of Drug Enforcement Administration registration numbers; amending s. 627.6515, F.S.; revising disclosure and regulatory filing requirements for group health policies issued or delivered outside this state under which certificates are issued to Florida residents, amending s. 112.08, F.S.; revising the requirement that local governments competitively bid for insurance for officers and employees; amending s. 627.6645, F.S.; revising provisions relating to certain notifications affecting group health insurance policies; providing an effective date

—was referred to the Committees on Banking and Insurance; Health Care, and Ways and Means.

By Representative Kelly and others—

HB 1267—A bill to be entitled An act relating to veterans; providing legislative intent; establishing a Florida Medal of Honor Wall at the Capitol Building; providing for plaques or similar designations, providing for the duties of the Department of Veterans' Affairs; providing an effective date

—was referred to the Committees on Community Affairs; and Governmental Reform and Oversight

By the Committee on Appropriations and Representative Ritchie—

HB 1791—A bill to be entitled An act relating to trust funds, terminating or modifying specified trust funds within the legislative branch, the Department of Commerce, the Department of Community Affairs, the Department of Labor and Employment Security, the Department of Education, the Department of State, the Department of Health and Rehabilitative Services, the Department of Elderly Affairs, the Agency for Health Care Administration, the Department of Insurance, the Department of Business and Professional Regulation, the Department of Juvenile Justice, and the Department of Corrections; providing for the transfer of current balances, the paying of outstanding debts and obligations, and the removal of the terminated funds and accounts from the various state accounting systems; renaming certain re-created trust funds; amending s. 311.11, F.S.; repealing provisions creating the Seaport Employment Training Trust Fund within the Department of Commerce; amending s. 288.1224, F.S., deleting references to the Tourism Promotion Investment Trust Fund within the Department of Commerce; amending ss. 265.605 and 265.606, F.S.; deleting provisions relating to the Fine Arts Endowment Trust Fund within the Department of State

and providing for funding from the General Revenue Fund; amending s. 265.608, F.S.; repealing provisions creating the Science Museum Trust Fund within the Department of State and providing for funding from the Cultural Institutions Trust Fund; amending s. 265.609, F.S.; repealing provisions creating the Youth and Children's Museum Trust Fund within the Department of State and providing funding from the Cultural Institutions Trust Fund; amending ss. 267.061, 267.0617, 267.072, and 550.0351, F.S.; deleting references to the Museum of Florida History Trust Fund and the Historic Preservation Trust Fund within the Department of State and providing for funding from the Historical Resources Operating Trust Fund, amending s. 267.162, F.S.; deleting references to the Florida Folklife Trust Fund within the Department of State; amending s. 607.1901, F.S.; conforming provisions relating to transfers from the Corporations Trust Fund within the Department of State to changes made by this act; repealing s. 402.3195, relating to the Child Care Facility and Family Day Care Home Trust Fund, amending s. 39.418, F.S., funding the care of children in need of services through the Operations and Maintenance Trust Fund; amending s. 392.69, F.S., funding tuberculosis control through the Operations and Maintenance Trust Fund; amending s. 404.122, F.S.; funding prevention and mitigation efforts relating to abandonment of radioactive materials through the Radiation Protection Trust Fund; amending ss. 404.111 and 404.131, F.S., to conform; repealing s. 402.3193, F.S., relating to the Child Care Trust Fund; amending s. 397.407, F.S.; funding monitoring, inspection, and oversight of substance-abuse-service providers through the Operations and Maintenance Trust Fund; amending s. 415.1111, F.S., clarifying a trust fund; amending ss. 408.7056, 627.6472, 641.57, and 641.58, F.S.; providing for deposit into the Health Care Trust Fund of fines, fees, assessments, and other funds resulting from the Statewide Provider and Subscriber Assistance Program, regulation of insurers offering exclusive provider policies, and regulation of health care services provided by health maintenance organizations and prepaid health clinics; repealing s. 624.91(6), F.S., relating to the Florida Healthy Kids Trust Fund; amending s. 732.92155, F.S.; funding organ and tissue donor education and procurement programs through the Florida Organ and Tissue Donor Education and Procurement Trust Fund amending ss. 320.08047, 322.08, 381.6024, and 732.915, F.S., to conform; amending s. 408.20, F.S.; providing for assessments against the Health Care Trust Fund to fund certain activities of the Agency for Health Care Administration; amending s. 215.20, F.S., to conform; amending s. 455.2205, F.S., relating to the Health Care Trust Fund, requiring separate accounts for providers licensed by the Agency for Health Care Administration; providing for expenditure accounts and reports; making the use of certain funds subject to the General Appropriations Act; amending s. 409.916, F.S.; providing for deposit of certain receipts into the Grants and Donations Trust Fund within the Agency for Health Care Administration and providing for their use, amending s. 633.445, F.S., funding the State Fire Marshal Scholarship Grant Program through the Fire College Trust Fund; amending s. 633.461, F.S., to conform, repealing s. 561.026, F.S., relating to the Alcoholic Beverage and Tobacco Forfeiture and Investigative Support Trust Fund; amending s. 932.7055, F.S., to conform; amending s. 475.045, F.S.; funding the Florida Real Estate Commission Education and Research Foundation through investment of a portion of the Professional Regulation Trust Fund; amending s. 548.077, F.S.; funding the State Athletic Commission through the Professional Regulation Trust Fund; amending s. 455.116, F.S.; eliminating reference to certain trust funds in the Department of Business and Professional Regulation; repealing s. 409.2566, F.S., relating to the Child Support Enforcement Application Fee Trust Fund; creating s. 61.1814, F.S., creating the Child Support Enforcement Application and User Fee Trust Fund within the Department of Revenue and providing its purpose; amending s. 409.2567, F.S., to conform; amending ss. 296.11 and 296.38, F.S.; funding the Veterans' Domiciliary Home of Florida and the Veterans' Nursing Home of Florida through the Operations and Maintenance Trust Fund and the Grants and Donations Trust Fund; amending s. 296.12, F.S., to conform; amending s. 393.15, F.S.; funding community-based treatment programs for the developmentally disabled through the Community Resources Development Trust Fund, amending s. 741.01, F.S.; funding domestic violence centers through the Domestic Violence Trust Fund, amending ss. 28.101, 415.603, and 741.30, F.S., to conform; amending s. 284.01, F.S.; funding state risk management through the State Property Insurance Trust Fund; amending ss. 258.007, 272.185, 284.03, 284.05, 284.14, 287.025, 331.350, and 946.509, F.S., to conform;

amending s. 420.36, F.S., funding the Low-income Emergency Home Repair Program through the Energy Consumption Trust Fund; amending s. 215.22, F.S.; eliminating reference to the Hurricane Andrew Recovery and Rebuilding Trust Fund in the list of trust funds exempt from trust fund service charges; amending s. 402.181, F.S.; funding the State Institutions Claims Program through the General Revenue Fund; amending s. 409.803, F.S., to conform; repealing s. 39.018, F.S., which creates the Juvenile Justice Facility Construction and Operation Trust Fund; amending s. 413.615, F.S.; establishing a base principal amount in the endowment fund of the Florida Endowment for Vocational Rehabilitation and providing for annual increases thereof; revising the manner of funding the operating account of the fund, amending s. 440.50, F.S., relating to the Workers' Compensation Administration Trust Fund; eliminating a provision relating to the Treasurer as custodian of the fund and to the holding of moneys in trust therein; amending ss. 440.15, 440.45, 440.491, and 627.991, F.S., to correct references to the fund; providing an effective date

—was referred to the Committee on Ways and Means.

By the Committee on Appropriations and Representative Ritchie—

HB 1793—A bill to be entitled An act relating to trust funds; terminating, within the Department of Environmental Protection, the Apalachicola Bay Protection Trust Fund, the Apalachicola Bay Conservation Trust Fund, the Coastal Zone Management Trust Fund, the Conservation and Recreation Bond Project Trust Fund, the Florida Area of Critical State Concern Restoration Trust Fund, the Beach Management Trust Fund, the Federal Land and Water Conservation Trust Fund, the Save Our State Environmental Education Trust Fund, the Hazardous Waste Management Trust Fund, the Industrial Siting Trust Fund, the Lake Hancock Restoration Trust Fund, the Natural Resources - Resource Management Division Land Reclamation Administration Trust Fund, the Marine Turtle Protection Trust Fund, the Marine Fisheries Commission Trust Fund, the Marine Biological Research Trust Fund, the Motorboat Revolving Trust Fund, the Environmental Regulation - Operating Trust Fund, the Petroleum Exploration and Production Bond Trust Fund, the Pollution Recovery Fund, the Florida Saltwater Products Promotion Trust Fund, the Natural Resources Parks - Save Our Coast Project Trust Fund, the Small Community Sewer Construction Assistance Trust Fund, the Surface Water Improvement and Management Trust Fund, the Oyster and Clam Rehabilitation Trust Fund, the Phosphate Research Trust Fund, the Restoration of Kissimmee River Trust Fund, the Spoil Site Trust Fund, the Replacement Trust Fund, and the State Water Pollution Control Trust Fund, providing for the transfer of current balances, the paying of outstanding debts and obligations, and for removal of the terminated trust funds from the various state accounting systems; amending ss. 161.0535, 161.054, 161.091, 161.101, 161.161, 206.606, 211.31, 211.3103, 215.20, 229.8058, 270.22, 287.0595, 320.08058, 327.25, 327.28, 327.3521, 327.53, 328.15, 328.20, 370.021, 370.06, 370.0608, 370.0609, 370.061, 370.062, 370.063, 370.07, 370.12, 370.14, 370.142, 370.143, 370.153, 370.1535, 370.16, 373.129, 373.309, 373.430, 373.451, 373.455, 373.457, 373.459, 376.11, 376.30, 376.303, 376.307, 376.3078, 376.3079, 376.40, 376.70, 376.75, 377.2425, 377.247, 377.41, 380.0558, 403.0615, 403.0871, 403.121, 403.1822, 403.1832, 403.1838, 403.518, 403.5365, 403.726, 403.727, 403.9421, 717.113, and 932.7055, F.S., to conform to the abolition of these trust funds; correcting cross references; creating s. 370.0603, F.S., providing for purposes and proceeds of the Marine Resources Conservation Trust Fund; amending ss. 1 and 2, ch. 94-198, Laws of Florida, providing for administration of the Minerals Trust Fund by the Department of Environmental Protection, repealing s. 229.8064, F.S., relating to the Save Our State Environmental Education Trust Fund, repealing s. 370.029, F.S., relating to the Marine Fisheries Commission Trust Fund; repealing s. 370.16(15) and (18), F.S., relating to the Apalachicola Bay Conservation Trust Fund and to disposition of a severance tax on oysters and clams; repealing s. 373.495, F.S., relating to the Water Resources Development Account; repealing s. 380.0555(12), F.S., relating to the Apalachicola Bay Protection Trust Fund and sewerage improvement grants; repealing s. 403.165, F.S., relating to the Pollution Recovery Fund; repealing s. 403.1824, F.S., relating to the State Water Pollution Control Trust Fund; repealing s. 403.1825, F.S., relating to grant payments from

such trust fund; repealing s. 403.704(21), F.S., relating to the duties of the department with respect to the Hazardous Waste Management Trust Fund; repealing s. 403.725, F.S., relating to the Hazardous Waste Management Trust Fund; providing effective dates

—was referred to the Committees on Natural Resources; and Ways and Means

By Representative Sanderson—

HB 1819—A bill to be entitled An act relating to the Comptroller, creating s. 17.0402, F.S.; providing for victim repayment with respect to certain violation of law under the jurisdiction of the Comptroller; amending s. 939.01, F.S.; providing for certain investigative expenses; amending s. 17.16, F.S.; revising the seal of the Comptroller, amending s. 17.325, F.S.; revising language with respect to governmental efficiency hotlines, revising requirements with respect to Get Lean telephone calls; providing for certain confidentiality; amending s. 20.12, F.S.; deleting the Division of Administration, renaming the Division of Securities and Investor Protection as the Division of Securities, renaming the Division of Financial Investigations as the Division of Consumer Financial Protection and Investigations; amending ss. 17.04 and 17.0401, F.S., to conform; amending s. 517.011, F.S.; changing the title of chapter 517, F.S., to the "Florida Securities Act"; providing an effective date

—was referred to the Committees on Banking and Insurance; and Ways and Means

By Representative Wasserman Schultz and others—

HB 2263—A bill to be entitled An act relating to postsecondary education; repealing ss. 235.18, 239.121, 240.122, 240.125, 240.126, 240.154, 240.311(3)(n), 240.347, 240.349, 240.3575(5), 240.359(5), 240.3815(1), and 240.382(5), F.S., relating to annual capital outlay budgets, occupational specialists, postsecondary education funding, postsecondary consortia, consortium of institutions of higher learning, proposals for undergraduate enhancement, adoption of travel guidelines by the State Board of Community Colleges, the State Community College Program Fund, requirements for participation in the fund, annual report of economic development centers, report of remedial education, annual report of community college campus crime statistics, and rules for operation of child development training centers; amending s. 229.592, F.S., correcting a cross reference; repealing ss. 240.122, 240.126, 240.154, 240.273, and 240.278, F.S., relating to postsecondary education funding, consortium of institutions of higher learning, proposals for undergraduate enhancement, apportionment of funds and property to the State University System, and required course program funded by the Quality Assurance Fund; providing an effective date

—was referred to the Committees on Higher Education; and Ways and Means

By Representative Albright—

HB 2299—A bill to be entitled An act relating to road designations; designating a portion of State Road 492 in Ocala as the "McCall/Custureri Highway"; designating the Interstate 75 and State Road 326 interchange as the "Julius James & Family Interchange"; directing the Department of Transportation to erect suitable markers; providing an effective date

—was referred to the Committee on Transportation.

By Representative Logan and others—

HJR 121—A joint resolution Proposing an amendment to Section 2 of Article XI of the State Constitution relating to the Constitution Revision Commission

—was referred to the Committees on Rules and Calendar, and Ways and Means

RETURNING MESSAGES—FINAL ACTION

The Honorable James A. Scott, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 112, CS for SB 198, SB 292, SB 308, SB 800, SB 808, SB 1126 and SB 1722

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

ROLL CALLS ON SENATE BILLS

SB 668

Yeas—39

Mr. President	Diaz-Balart	Jenne	Ostalkiewicz
Bankhead	Dudley	Jennings	Rossin
Beard	Dyer	Johnson	Silver
Bronson	Forman	Jones	Sullivan
Brown-Waite	Grant	Kirkpatrick	Thomas
Burt	Harden	Kurth	Turner
Casas	Hargrett	Latvala	Weinstein
Childers	Harris	McKay	Wexler
Crist	Holzendorf	Meadows	Williams
Dantzler	Horne	Myers	

Nays—None

CS for CS for SB 886

Yeas—35

Mr. President	Dudley	Jenne	Rossin
Bankhead	Dyer	Jennings	Silver
Beard	Forman	Johnson	Sullivan
Bronson	Grant	Jones	Thomas
Brown-Waite	Gutman	Kirkpatrick	Turner
Casas	Harden	Kurth	Weinstein
Crist	Hargrett	McKay	Wexler
Dantzler	Harris	Myers	Williams
Diaz-Balart	Horne	Ostalkiewicz	

Nays—5

Burt	Holzendorf	Latvala	Meadows
Childers			

Vote after roll call:

Yea to Nay—Hargrett

ROLL CALLS ON MOTIONS

Adoption of Report of the Committee on Rules and Calendar

Yeas—39

Mr. President	Diaz-Balart	Jenne	Ostalkiewicz
Bankhead	Dudley	Jennings	Rossin
Beard	Dyer	Johnson	Silver
Bronson	Forman	Jones	Sullivan
Brown-Waite	Grant	Kirkpatrick	Thomas
Burt	Harden	Kurth	Turner
Casas	Hargrett	Latvala	Weinstein
Childers	Harris	McKay	Wexler
Crist	Holzendorf	Meadows	Williams
Dantzler	Horne	Myers	

Nays—None

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 3 was corrected and approved

CO-SPONSORS

Senators Bronson—SB 2412; Burt—SR 3036, Crist—SB 1694; Dudley—CS for CS for SB 886, Forman—SCR 1988, SB 2224, Grant—SB 1262, SB 2412; Harden—SB 354, SB 2412; Hargrett—SB 1216; Harris—SB 2412; Holzendorf—CS for SB 132, SB 370, SB 2530; Horne—SB 2412; Jenne—SCR 1988; Jones—SCR 1988; Ostalkiewicz—SB 764, SB 2412; Thomas—SB 2894; Wexler—SCR 1988; Williams—SB 364

Senator Sullivan withdrew as a co-sponsor of SB 126

RECESS

On motion by Senator Jennings, the Senate recessed at 11 32 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Wednesday, April 17

SENATE PAGES

April 8-12

Laurel Kovach, King George, VA; James Hamman, DeLand; Ariel Pereda, Miami, Lena Irvine, Pensacola, Mandy Baetz, Ft. Myers, Evelio Silveira, Cape Coral; Christina Calaluca, Ft. Lauderdale; Kimberly Calaluca, Ft. Lauderdale; Michael J. Lascelle, Sarasota; Emir Abraham Sirker, Homestead, Christine (Christi) Vercoe, Ft. Lauderdale, Brandy Sweeney, Orlando, Kristy Calhoun, Chuluota; Joshua Green, Light-house Point, Katie Scott, Tallahassee; Alan Peterson, Tallahassee; Tara Carroll, Tallahassee